



**LEBANON CITY COUNCIL
MARCH 17, 2021 - 7:00 PM
REMOTE VIA WEBEX
LEBANONNH.GOV/LIVE**

1. Call to Order

Meeting Access: To participate in this meeting, please [join live via WebEx](#) or call 415-655-0001 (access code: 132 455 1158). If you have trouble accessing this meeting, please [email Shaun Mulholland](#).

The March 17, 2021 Lebanon City Council Meeting is hereby called to order.

2. Pledge of Allegiance

3. Public Forum Announcement by the Mayor

Any member of the public who desires to speak on any item may do so when the item is taken up by the Council and will be allowed to speak on the subject for not more than three minutes. **(Note: Speakers are asked to state their name, ward of residence, and to use the microphone provided.)**

4. Open to the Public

5. Recognitions: None

6. Approval of Minutes

- A. MOTION TO approve the minutes as presented in the March 17, 2021 agenda packet.

7. Appointments

- A. Lebanon Housing Authority, Ian Girdwood (Citizen Member)

8. Public Hearing Items

- A. ORDINANCE #2021-01 – A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 31, Board, Committees & Commissions, Article VII, Heritage Commission and Article X, Arts and Culture Commission
 - i. Presentation:
 - ii. Opening of the Public Hearing:
 - iii. Questions & Comments by the Public:
 - iv. Closing of the Public Hearing:
 - v. Council Deliberation & Action:

9. Old Business

- A. Presentation of Second Reading: Amendment to Ordinance #18, Salary Plan, Article II, Non-Affiliated & LPASE Employees, to include the positions of Utility Billing Clerk (Grade 8) and Accounting Clerk (Grade 3) within the pay plan for regular full-time & regular part-time employees and to retitle positions in the City Clerks, and Cyber Services Departments.

10. New Business

- A. Request for Exception from City Code Chapter 110, Noise from Sound Amplification: Martin, 8 Pleasant Street, West Lebanon
- B. Discussion & Set Public Hearing for April 7, 2021: Ordinance #2021-02 to amend City Code Chapter 136, Sewer Service, §136-78, Collection
- C. Discussion & Set Public Hearing for April 7, 2021: Ordinance #2021-03 to amend City Code Chapter 182, Water Service, §182-31, Collection
- D. Presentation of First Reading and Set Public Hearing for April 21, 2021: Amendment to Ordinance #18, Salary Plan, Article II, Non-Affiliated & LPASE Employees, Seasonal/Temporary & Stipend Employees, to increase 2021 wages for Memorial Pool and Camp Recreation, Arts & Parks employees

11. City Manager Report

12. Council Representatives to Other Bodies Report

13. Future Agenda Items

14. Non-Public Session

15. Adjournment

Due to the current situation with the COVID-19 Pandemic, the City of Lebanon is offering its meetings via Microsoft Teams and WebEx. Members of the public are encouraged to attend by going to LebanonNH.gov/Live where you will find instructions on how to enter the meeting.

THE AGENDA, IN ITS ENTIRETY IS AVAILABLE ON THE CITY'S WEBSITE AT LEBANONNH.GOV/AGENDAS..

FUTURE BOARD/COMMITTEE/COMMISSION APPOINTMENTS

Board/Committee: Guardian of Soldiers Memorial Building
Position: Regular Member
Applicant: B. Therrien
Assigned Councilor: S. Prentiss
Assigned Date: 1/26/2021

Note: While 1 City Councilor is officially assigned to interview each applicant, any City Councilor may interview any applicant for any position to better inform their decision.

PROPOSED FUTURE AGENDA ITEMS: Dates may be tentative and this list not considered all inclusive.

MARCH 24, 2021 - Organizational Meeting

APRIL 7, 2021

PUBLIC HEARING ITEMS:

- A. AMEND ORDINANCE NO. 18, SALARY PLAN – A public hearing for the purpose of receiving public input and taking action to amend Ordinance #18, Salary Plan, Article II, Non-Affiliated & LPASE Employees, to include the positions of Utility Billing Clerk (Grade 8) and Accounting Clerk (Grade 3) within the pay plan for regular full-time &

regular part-time employees and to retitle positions in the City Clerks, and Cyber Services Departments.

B. ORDINANCE #2021-02 – A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 136, Sewer Service, §136-78, Collection

C. ORDINANCE #2021-03 - A public hearing for the purpose of receiving public input and taking action to amend to amend City Code Chapter 182, Water Service, §182-31, Collection

OLD BUSINESS:

A. Presentation of Second Reading: Amendment to Ordinance #18, Salary Plan, Article II, Non-Affiliated & LPASE Employees, Seasonal/Temporary & Stipend Employees, to increase 2021 wages for Memorial Pool and Camp Recreation, Arts & Parks employees.

NEW BUSINESS:

A. Discussion with Meghan Butts, Newly Appointed Executive Director of the Upper Valley Lake Sunapee Regional Planning Commission re: Services provided by UVLSRPC

B. Discussion & Set Public Hearing for April 21, 2021: 79-E Request from One Mechanic Street, LLC for proposed conversion of the former NAPA Auto Parts building into residential use

C. Discussion & Set Public Hearing for May 19, 2021: Layout of extension of Airpark Road

D. Discussion & Set Public Hearing for April 21, 2021: Ordinance #2021-04 to amend City Code Chapter 97, Landfill Regulations

APRIL 21, 2021

PUBLIC HEARING ITEMS:

A. ONE MECHANIC STREET, LLC 79-E REQUEST – A public hearing for the purpose of receiving public input and taking action to convert the former NAPA Auto Parts building into residential use

B. ORDINANCE #2021-04 - A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 97, Landfill Regulations

C. AMEND ORDINANCE NO. 18, SALARY PLAN – A public hearing for the purpose of receiving public input and taking action to amend Ordinance #18, Salary Plan, Article II, Non-Affiliated & LPASE Employees, Seasonal/Temporary & Stipend Employees, to increase 2021 wages for Memorial Pool and Camp Recreation, Arts & Parks employees.

NEW BUSINESS:

A. Review and Discussion of 2021 1st Quarter Budget Report and Release of Collected Public School Impact Fees

B. Upgrade of a portion of Hall School Road from a Class VI Highway to a Class V Highway for the provision of access to Phase 2B of the Airport Industrial Park

**AGENDA
LEBANON CITY COUNCIL
MARCH 17, 2021**

6. ACCEPTANCE OF MINUTES:

MINUTES TO BE ACCEPTED

- March 3, 2021 (Regular Meeting)
- March 11, 2021 (Canvass of the Vote)

MOVED, to approve the minutes as presented in the March 17, 2021 agenda packet.

DRAFT

**LEBANON CITY COUNCIL
MINUTES, REGULAR SESSION
Wednesday, March 3, 2021, 7:00 p.m.
Remote Webex: [LebanonNH.gov/Live](https://lebanonnh.gov/Live)**

MEMBERS PRESENT: Mayor Tim McNamara, Assistant Mayor Clifton Below, Bruce Bronner, Erling Heistad, Karen Liot Hill, Suzanne Prentiss, George Sykes, Jim Winny, Karen Zook

MEMBERS ABSENT: None

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager Paula Maville, City Clerk Kristin Kenniston, Solid Waste Manager Marc Morgan

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

This meeting took place virtually due to the COVID-19 Pandemic and was conducted in accordance with the Emergency Orders issued by the New Hampshire Governor according to NH RSA 91-A "Right-to-Know Law."

All Councilors attending the meeting remotely are listed above.

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

3. PUBLIC FORUM: Mayor McNamara made the Public Forum announcement.

4. OPEN TO PUBLIC: No one from the public came forth.

5. RECOGNITIONS:

A. Resolution in Honor and Memory of Michael "Mike" Cole

**RESOLUTION IN HONOR AND MEMORY OF
MICHAEL "MIKE" COLE**

WHEREAS, Mike Cole devoted himself to a career in public service, having served in the Lebanon Public Works Department for nearly 29 years; and

WHEREAS, Mike began his service to the City on February 28th, 1992, as a Heavy Equipment Operator at the solid waste facility; and

WHEREAS, In April of 2011, Mike left his Heavy Equipment Operator role at solid waste to become the DPW Operator at the Lebanon wastewater facility; and

WHEREAS, Mike served the Public Works Department over the past 29 years in a courteous and helpful manner, often going above and beyond his duties to assist the department and his co-workers whenever needed; and

1 **WHEREAS**, Mike demonstrated those many attributes that were essential to his position, continually
2 giving of himself freely and unselfishly to not only his coworkers but to anyone who needed it; and
3

4 **WHEREAS**, Mike earned the respect, confidence, and friendship of his fellow coworkers, the business
5 associates he came in contact with, as well as the many citizens he served, and will be missed by all.
6

7 **THEREFORE, BE IT RESOLVED**, that the Lebanon City Council on behalf of Lebanon's residents,
8 employees, visitors, and civil servants, extend their sincere appreciation to the family of Michael "Mike"
9 Cole in honor of his exemplary service to the City of Lebanon.
10

11 **BE IT FURTHER RESOLVED** that this resolution be written upon the minutes of the Lebanon City
12 Council meeting.
13

14 **Dated this 3rd day of March 2021 at Lebanon, New Hampshire.**
15

16

Timothy J. McNamara, Mayor
17 ***On behalf of the Lebanon City Council***
18

19 The Council held a moment of silence to honor the memory of Michael "Mike" Cole.
20

21 **6. ACCEPTANCE OF MINUTES:**

22 **A. February 17, 2021 (Regular Session)**

23 Amendments: Page 10, Line 44 (agenda packet): Change "Baley" to "Bailey":
24

25 ***Councilor Heistad MOVED to approve the February 17, 2021 City Council (Regular Session)***
26 ***minutes as amended and presented in the March 3, 2021 City Council agenda packet.***
27 ***Seconded by Councilor Prentiss.***
28

29 **Roll Call Vote:**

30 Assistant Mayor Below, and Councilors Bronner, Heistad, Liot Hill, Prentiss, Sykes, Winny, Zook and
31 Mayor McNamara, all voting Yea.

32 None voted Nay.

33 ****The Vote on the MOTION was unanimously approved (9-0).***
34

35 **7. APPOINTMENTS:**

- 36
 - Economic Development Commission, Dan Nash (Reappointment as Citizen Representative)
37

38 ***Councilor Sykes put forth the NOMINATION of Dan Nash*** for Reappointment as a Citizen
39 Representative of the Economic Development Commission. Three-year term (3/21 – 3/23)

40 ***Seconded by Councilor Liot-Hill.***
41

42 **Roll Call Vote:**

43 Assistant Mayor Below, and Councilors Bronner, Heistad, Liot Hill, Prentiss, Sykes, Winny, Zook and
44 Mayor McNamara, all voting Yea.

45 None voted Nay.

46 ****The Vote on the NOMINATION was unanimously approved (9-0).***
47

1 **8. PUBLIC HEARING ITEMS: NONE**

2
3 **9. OLD BUSINESS - NONE**

4
5 **10. NEW BUSINESS**

6 **A. Discussion & Set Public Hearing for March 17, 2021: Ordinance #2021-01 to amend**
7 **City Code Chapter 31, Board, Committees & Commissions, Article VII, Heritage**
8 **Commission and Article X, Arts and Culture Commission**

9
10 Included in the agenda packet: Proposed Ordinance 2021-01

11
12 City Manager Shaun Mulholland came before the Council and reviewed the background to amend
13 Ordinance #2021-01.

14
15 By action of the City Council on May 21, 2014, the City's Fountain Committee was dissolved and
16 recreated as the Fountain Working Group and placed under the umbrella of the Heritage Commission.
17 The charge of the Heritage Commission was formally amended in 2016 to include the following:

18
19 “Work towards the purchase and installation of fountains within the City of Lebanon by raising funds;
20 coordinating volunteer efforts; locating fountains for purchase by the City; developing plans for the
21 location of fountains; and seeking approval by the Heritage Commission and the City Council prior to the
22 installation of any new fountain.”

23
24 The Fountain Working Group procured and installed its last fountain at the Glenwood Cemetery in 2020.
25 Members of the group have since stepped aside. We continue to be thankful for the work they
26 accomplished over their many years of dedicated service.

27
28 In December 2018, the City Council established the Arts and Culture Commission and charged them with
29 taking a lead role in implementing Chapter 12 of the City's Master Plan (Community Design and Civic
30 Art). Within this chapter, fountains are recognized as a cultural and civic art resource, and implementation
31 strategies and action items refer to re-establishing Lebanon as the “City of Fountains.”

32
33 With all of this in mind, City administration is recommending that the charge of the Arts and Culture
34 Commission be amended to assume the role of fountain procurement. An amendment to the City Code is
35 required to effectuate the change and is outlined in Ordinance 2021-01.

36
37 ***Councilor Bronner MOVED, that the Lebanon City Council hereby schedules a public hearing for***
38 ***Wednesday, April 7, 2021, beginning at 7:00pm, Remote via Webex, for the purpose of receiving***
39 ***public input and taking action on proposed Ordinance #2021-01, to amend City Code, Chapter 31,***
40 ***Boards, Committees & Commissions, Article VII, Heritage Commission and Article X, Arts and***
41 ***Culture Commission.***

42 ***Seconded by Councilor Sykes.***

43
44 **Roll Call Vote:**

45 Assistant Mayor Below, and Councilors Bronner, Heistad, Liot Hill, Prentiss, Sykes, Winny, Zook and
46 Mayor McNamara, all voting Yea.

47 None voted Nay.

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

1
2 **B. Presentation of First Reading and Set Public Hearing for April 7, 2021: Amendments**
3 **to Ordinance #18, Salary Plan, Article II, Non-Affiliated & LPASE Employees, to**
4 **include the positions of Utility Billing Clerk (Grade 8) and Accounting Clerk**
5 **(Grade 3) within the pay plan for regular full-time & regular part-time employees**
6 **and to retitle positions in the City Clerks, and Cyber Services Departments**
7

8 Included in the agenda packet: Proposed Amendments to Ordinance No. 18, Salary Plan.
9

10 City Manager Mulholland came before the Council to discuss the reorganization changes in the City
11 Clerk's Office and the retitling of the Information Technology Department to Cyber Services.
12

13 **REORGANIZATION OF CITY CLERK'S OFFICE & FINANCE DEPARTMENT**
14

15 City Manager Shaun Mulholland is reorganizing positions within the City Clerk's office and Finance
16 department to implement "central collections." Central collections will provide the ability for the public
17 to pay taxes or water & sewer bills while registering to vote, registering their motor vehicles, or applying
18 for a marriage license and will allow the Finance Department to better concentrate efforts on financial
19 services and management.
20

21 To assist in the transition, the tax collection functions currently managed by Finance are being moved
22 under the umbrella of the City Clerk. This does not create a new position. The positions of City Clerk and
23 Tax Collector are being combined and the position of Deputy Tax Collector (Grade 8) is being moved
24 from Finance to City Clerk.
25

26 Currently the duties of the Deputy Tax Collector include billing and collection for water, sewer, and
27 landfill services. These duties will remain in finance under a position to be titled "Utility Billing Clerk"
28 (Grade 8). Duties for the revised Deputy Tax Collector position will be those associated with tax
29 collection, plus those associated with Assistant City Clerks (motor vehicle registration, dog licensing,
30 issuance of vital records, election processing, etc.). As such, the Deputy Tax Collector will be fully able
31 to assist with counter coverage and daily public interactions.
32

33 Over the years, the Tax Collector has taken on duties to assist the Finance Department with accounts
34 payable and accounts receivable operations. Prior to the implementation of the revised compensation and
35 classification system for non-affiliated employees in 2018, a position titled "Accounting Clerk" was part
36 of the pool of positions in the City. Administration is reinstituting the position (part-time only) so the
37 Finance Department may hire a person to assume the duties that will not be transferred to the City Clerk.
38

39 All necessary funding to complete this transition is existing within the 2021 approved budget. The salary
40 for the Tax Collector will be utilized by the City Clerk's Office to facilitate the move of the newly
41 appointed Deputy Tax Collector and the funding for the retitled position of Utility Billing Clerk is
42 included in the Finance budget, as is funding for a part-time Accounting Clerk.
43

44 **RETITLING POSITIONS FROM "INFORMATION TECHNOLOGY" TO "CYBER**
45 **SERVICES"**
46

47 With the ever-evolving world of technology, and the all-encompassing functions associated with
48 protecting the City's technological resources, City Manager Shaun Mulholland has renamed the
49 Information Technology Department to "Cyber Services." As such, positions currently titled "Information
50 Technology" need to be updated. Positions include: Information Technology Director - Grade 15 (to be

retitled Cyber Services Director); and Information Technology Technical Specialist - Grade 9 (to be retitled Cyber Services Technical Specialist). The Systems and Information Technology Administrator (Grade 13) title will remain as is and assigned grades for all positions will not change.

Process to Amend Ordinance No. 18

Amending Ordinance No. 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 was asked to recognize the first of three presentations on March 3, 2021 and to schedule a public hearing for April 7, 2021 to amend the Ordinance. The second and third presentations will follow on March 17, 2021 and April 7, 2021 respectively.

ACTION:

1. ACKNOWLEDGE FIRST PRESENTATION:

Councilor Prentiss MOVED, that the Lebanon City Council acknowledges the first of three presentations to amend Ordinance No. 18, Salary Plan, Article II, Non-Affiliated & LPASE Employees, as follows:

1. Retitle City Clerk to City Clerk/Tax Collector (Grade 12).
2. Include the position of Utility Billing Clerk (Grade 8).
3. Include the position of Accounting Clerk (Grade 3).
4. Retitle Information Technology Director to Cyber Services Director (Grade 15); and
5. Retitle Information Technology Technical Specialist to Cyber Services Technical Specialist (Grade 9)

Changes in the table below shown in red and listed on pages 34-36 of the City Council agenda packet

REGULAR FULL-TIME/REGULAR PART-TIME NON-AFFILIATED & LPASE EMPLOYEES – 2021 SALARY & GRADES

Grade	Position Title	Hourly		Weekly	
		Minimum	Maximum	Minimum	Maximum
1	General Intern II	\$16.77	\$22.64	-	-
2	Custodian	\$17.78	\$23.99	-	-
	Department Secretary	-	-	-	-
3	Airport Maintenance Worker	\$18.84	\$25.44	-	-
	Custodian I	-	-	-	-
	Accounting Clerk				
4	Library Assistant	\$19.98	\$26.97	-	-
5		\$21.17	\$28.57	-	-
6	-	\$22.44	\$30.29	-	-
7	Administrative Assistant	\$23.78	\$32.45		
	Administrative Secretary			-	-
	Assessing Clerk	-	-	-	-
	Assistant City Clerk	-	-	-	-
	Assistant Human Services Director	-	-	-	-

	Communications Specialist	-	-	-	-
	Library Administrative/Technical Assistant	-	-	-	-
8	Administrative Assistant	\$25.21	\$34.04	-	-
	Benefits Coordinator/Payroll Specialist	-	-	-	-
	Deputy City Clerk	-	-	-	-
	Deputy Tax Collector	-	-	-	-
	Field Inspector**	-	-	-	-
	Electrical Inspector**	-	-	-	-
	Utility Billing Clerk				
	Outreach Librarian	-	-	\$1,008.55	\$1,361.65
	Young Adult Librarian	-	-	-	-
9	Code Health Inspector**	\$27.73	\$37.43	-	-
	Executive Assistant	-	-	-	-
	Digital Media Officer	-	-	-	-
	Cyber Services Technical Specialist Information Technology Technical Specialist				
	Real Estate Appraiser II**	-	-	-	-
	Children's Librarian			\$1,109.20	\$1,497.36
	Associate Planner**	-	-		
	Systems Librarian	-	-	-	-
	Information Technology Librarian	-	-	-	-
10	Assistant City Engineer**	\$30.50	\$41.18	-	-
	Cemetery Sexton**	-	-	-	-
	Financial Analyst	-	-	-	-
	Fleet Maintenance Supervisor**	-	-	-	-
	Maintenance Superintendent**	-	-	-	-
	Utilities Maintenance Superintendent**				
	Police Communications Supervisor**	-	-	-	-
	Tax Collector	-	-	-	-
	Human Services Director	-	-	\$1,220.15	\$1,647.20
	Recreation Program Coordinator**	-	-		
11	Technical Advisor I	\$33.59	\$45.34	-	-
	Administrative Services Manager**	-	-	\$1,343.60	\$1,813.60
	Airport Operations Supervisor**	-	-	-	-
	Assistant Recreation Director**	-	-	-	-
	Code Enforcement Director**	-	-	-	-
	Deputy Library Director	-	-	-	-
	Fire Marshall**	-	-	-	-
	Planner/GIS Coordinator**	-	-	-	-
	Senior Planner**	-	-	-	-
12	Wastewater Treatment Superintendent**	\$35.60	\$48.05	-	-
	Water Treatment Superintendent**	-	-	-	-
	City Assessor**	-	-	\$1,424.00	\$1,922.00
	City Clerk/Tax Collector	-	-		
	City Clerk			-	-
	City Engineer**	-	-	-	-
	City Planner**	-	-	-	-

	Deputy Finance Director	-	-	-	-
	Energy & Facilities Manager**	-	-	-	-
	Police Lieutenant**	-	-	-	-
	Prosecuting Attorney	-	-	-	-
	Solid Waste Manager**	-	-	-	-
13	Airport Manager	-	-	\$1,509.21	\$2,037.39
	Assistant Fire Chief	-	-	-	-
	Deputy Fire Chief	-	-	-	-
	Deputy Police Chief	-	-	-	-
	Human Resources Director	-	-	-	-
	Information Systems Manager**	-	-	-	-
	Maintenance Manager**	-	-	-	-
	Recreation Director	-	-	-	-
	Police Captain**	-	-	-	-
	Systems and Information Technology Administrator				
14	Assistant Director/Public Works	-	-	\$1599.77	\$2,159.70
	Chief Assessor	-	-	-	-
	Library Director	-	-	-	-
15	Cyber Services Director Information Technology Director	-	-	\$1,695.84	\$2,289.20
16	Technical Advisor II	\$44.93	\$60.66		
	Chief of Police	-	-	\$1,797.42	\$2,426.40
	Director of Planning and Zoning	-	-	-	-
	Director of Public Works	-	-	-	-
	Finance Director	-	-	-	-
	Fire Chief	-	-	-	-
	Deputy City Manager	-	-	-	-

**denotes LPASE Positions

2. SCHEDULE PUBLIC HEARING:

Councilor Prentiss FURTHER MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, April 7, beginning at 7:00 pm, Remote via Webex, for the purpose of receiving public input and taking action to amend Ordinance No. 18, Salary Plan, Article II, Non-Affiliated Employees, as follows:

1. Retitle City Clerk to City Clerk/Tax Collector (Grade 12).
2. Include the position of Utility Billing Clerk (Grade 8).
3. Include the position of Accounting Clerk (Grade 3).
4. Retitle Information Technology Director to Cyber Services Director (Grade 15); and
5. Retitle Information Technology Technical Specialist to Cyber Services Technical Specialist (Grade 9)

Seconded by Assistant Mayor Below.

Roll Call Vote:

Assistant Mayor Below, and Councilors Bronner, Heistad, Liot Hill, Prentiss, Sykes, Winny, Zook and Mayor McNamara, all voting Yea.

None voted Nay.

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

1
2 **11. City Manager Report:**

3 City Manager Shaun Mulholland updated the Council on the following:

- 4 • Community Paramedicine Program: This was funded through DHMC under the Pilot Agreement
5 and they are in the process of buying the equipment, ordering the vehicle, and extending offers of
6 employment to fill this position. He has been working on a plan with City/Town Managers from
7 Canaan, Enfield, Hanover, and Hartford and Norwich, VT, along with the area's Public Health
8 network, the Vermont Public Health network, Lebanon's Human Services and Fire Departments
9 regarding a social worker who would work in conjunction with the Community Paramedicine
10 Program to help bridge the gap with mental health issues in the region. Vital Communities was
11 asked to facilitate the process. The next steps are collecting data and sending out a survey.
- 12 • West Central Behavioral Health (WCBH) is working on protocols with the Lebanon Fire/Police
13 Departments to get an emergency response for mental health calls 24/7. The State released its
14 plan in September 2020 and was supposed to release the funding for the mobile response teams
15 that would handle these types of calls, but this has not yet been done. WCBH has a position open
16 for a mental health worker who will work the first shift until 8 PM (M-F) and are also looking for
17 someone to fill a 2nd shift position. The draft protocols are in place for how calls will be handled
18 and dispatched to the mental health clinician. The goal is to have the mental health clinicians
19 integrated with our Emergency Services and the Community Paramedicine Program under one
20 umbrella. He also noted that WCBH will be responding to calls using their own vehicles and the
21 social worker(s) will be handling issues that are not necessarily medical-related such as:
22 Transportation for the elderly, safety issues in homes, mobility issues, and connecting people
23 with other services they may need.
- 24 • 1B Industrial Park: Bidding has gone out and there are a number of parties interested in
25 occupying those spaces.
- 26 • COVID-19 vaccination site: Now taking place at what was JC Penny's three days a week.
- 27 • Parks & Recreation Summer Programs: If there is progress with vaccinations, they will be
28 looking at putting some of their programs in place earlier than expected and may activate some of
29 the programs that were canceled if funding issues can be resolved. We are waiting to see what
30 the City will receive from the new CARES Act bill if it passes through Congress. Parks and
31 Recreation is also reviewing plans to possibly open the pool and are conducting risk assessment,
32 but this is also contingent upon receiving CARES Act funding. Planning is taking place for 4th of
33 July festivities providing the COVID risk is low enough. While there are some encouraging
34 signs, cautions need to remain due to variants of COVID.
- 35 • Welcoming Lebanon Training: First training for Boards/Commission, Department Heads have
36 taken place. There will be other training sessions for city staff and it is expected that by the end
37 of March everyone will be trained.
- 38 • Legislative updates:
 - 39 ○ HB-302 – Electronic Records – solidifies the ability for municipalities to use electronic
40 records and electronic signatures. Passed the House.
 - 41 ○ HB-439 – A bill that would limit the City's authority to enact ordinances not specifically
42 outlined in RSA 47:17.

43
44 Mayor McNamara presented the background on RSA 47:17- IV that basically provides the 13
45 Cities (not towns) to enact bylaws and ordinances. The RSA, as it is currently configured, lists a
46 whole variety of things that we are (currently) allowed to enact bylaws and ordinances for, such

1 as public buildings; burial grounds; duties of physicians; public well cisterns; and the marching of
2 military companies with music. At the very end of the RSA, it says: “They may make any other
3 bylaws and regulations, which may seem for the well-being of the city, but no bylaw or ordinance
4 shall be repugnant to the Constitutional Laws of the State, and such bylaws and ordinances shall
5 take effect and be in force from the time therein unlimited without the sanction or confirmation of
6 any other authority....” We have had the authority since the 19th century to make ordinances and
7 bylaws on items that we (City of Lebanon) determine to be of importance to the City (i.e., Zoning
8 Ordinances, Parking Ordinances, Dog Leashing Ordinances, etc.) without going through the
9 State.

10
11 Fast forward to 2020. Many of us (cities) have adopted mask requirements, and there was a lot of
12 objection to those requirements from certain State Legislators. A group of legislators, none of
13 whom he believes are residents of any of the 13 Cities, put forth HB-439, which would take out
14 the sentence in the RSA that says: “They may make any other bylaws or regulations, which may
15 seem for the well-being of the City...” If this is done, that would limit us, including Lebanon,
16 NH, to those items that are specifically listed in the RSAs. For example, we could not enact the
17 following: Zoning Ordinances - existing Zoning Ordinance(s) might be invalid; Sewer
18 Ordinances; or a Mask Ordinance, which appears to have been the purpose of this bill. This bill
19 went before the House Municipal and County Government Committee for a hearing on March 1,
20 2021. With the assistance of the City Manager, Mayor McNamara drafted a letter to the Chair of
21 that committee, and gave testimony, indicating our opposition to this bill. He also passed his
22 letter along to the other 12 mayors who also signed on in opposition to this bill. The NH
23 Municipal Association also objected to this bill. Mayor McNamara felt this was a “scorched
24 earth bill,” which seeks to punish cities for, what he presumed is, anti-masking ordinances and
25 other related things that happened during the pandemic.

26
27 Mayor McNamara’s opinion was that this bill would rob us all of the ability to make any
28 reasonable ordinances, including ordinances that have nothing to do with the pandemic. It is
29 uncertain when the committee will rule on this bill but hopes it will be soon.

- 30
- 31 ○ HB-315: Assistant Mayor Below noted this was a major rewrite of RSA 53:E, the Municipal
32 Aggregation Statute. A tremendous amount of opposition turned out for this bill because we
33 have provoked interest from a lot of other communities. However, the Governor did support
34 the bill. On behalf of the City of Lebanon, he proposed a couple of amendments in the areas
35 where he thought some common ground could be found and a Working Group was created to
36 craft a compromise that could gain bipartisan support. All the other energy-related bills will
37 be put on ice for now.
 - 38 ○ HB-504 – A Bill that proposes to redistribute excess Statewide Education Property
39 Taxes (SWEPT) collected by individual communities to broadly fund public education
40 in the State. City Manager Shaun Mulholland explained the City’s agreement to join the
41 Education Coalition, noting he was elected as Vice Chair of this Coalition. They have
42 selected a law firm to act as their lobbyist and are finalizing an agreement with them. No
43 action will occur on this bill this year – it will be a multi-year effort and noted the focus of
44 this Coalition is to only deal with the issue of the property taxes being used to solve the
45 education funding problem and that this bill is not the solution.
- 46

1 The Council discussed the financial impact of sending SWEPT funds to the State and the cost
2 to the City for the lobbying firm (approximately \$4K).

- 3
- 4 ○ HB-608 has also been retained.
- 5 ○ HB-154: Also deals with the state-wide property tax and having the City transfer these funds
- 6 to the State.
- 7 ○ SB-95: A bill that would allow virtual meetings to take place after the COVID-19 pandemic.
- 8 There is bipartisan support for this bill because towns and cities are seeing more public
- 9 participation in meetings.

- 10 • Contract Negotiations: Will be starting on March 19, 2021 with the four collective bargaining
- 11 units.
- 12 • The potential CARES Act funding and how it will be distributed.
- 13 • The potential infrastructure funding from the Federal Government.
- 14 • Public Portal: This is being configured so the public can retrieve public documents online.
- 15 • Westboro Yard update: Demolition should occur this summer. A map of Westboro Yard was
- 16 shared with the Council that depicted areas 1-6, which the City would like to lease. The Council
- 17 held discussions on: The String of Pearls Trail concept; the Rail Trail and potential for other
- 18 recreational opportunities; long-term leasing options from the railroad/State to the City; liability
- 19 from the State to cover contamination costs; and long-term water contamination.
- 20 • Ward 3 polling place will be held at City Hall, Council Chambers.
- 21 • Spencer Street: PCB soil contamination continues to be an issue.
- 22 • West Lebanon Rail Trail Extension.
- 23 • Tunnel update: It is anticipated there will be a soft opening in May.
- 24 • Public Wi-Fi: Expecting to have this available in the City's parks.
- 25 • Streetlight Project: Assistant Mayor Below noted 450 of roughly the 750 streetlight conversions
- 26 have already occurred. A presentation depicting the new streetlights and cost savings was given.
- 27 • SeeClickFix: A public interface tool that will allow people to report streetlights being out, trees
- 28 in the road, potholes, or any neighborhood problems/complaints. Expected to be online by April
- 29 1, 2021.
- 30 • Public Asphalt Art: A policy is being drafted to allow this to happen on and is being reviewed by
- 31 the Arts & Culture Commission. DPW will review the technical/safety aspects. More to come on
- 32 this.
- 33 • Special Assessment District.
- 34 • Enfield Sewer coordination: In the process of adopting a sewer ordinance that will allow for the
- 35 sewer development charge.
- 36 • PFAS abatement: Request for proposals (RFP's) have been received.
- 37 • Anerobic Digester: This will be a no go due to the cost of around \$13M.
- 38 • CSO 13: 68 South Main Street to Waterman Avenue and includes Romano Circle. Design is
- 39 being worked on. Most of this project should be done by this summer. Already funded from
- 40 previous appropriations.
- 41 • CSO 12: Mascoma/Mechanic Streets area should have finished coat of pavement done by early
- 42 this summer.
- 43 • SB-135 & SB-145: Councilor Prentiss noted these bills both deal with addressing the declining
- 44 attendance rates in schools due to COVID-19 and propose to restore what is called the ADMA to
- 45 the rate pre-COVID (2019 school year) so schools will not lose funding.

- 1 • SB-130: Councilor Prentiss noted all public testimony on the bill has been completed. This is a
2 bill that addresses fair & equal education in New Hampshire and voucher programs. She opposed
3 this bill because she felt it was not an advantage to be moving money away from public education
4 through a voucher program.
5

6 **12. Council Representatives to Other Bodies Reports:**
7

8 **13. Future Agenda Items: NONE**
9

10 **14. Non-Public Session: NONE**
11

12 **15. Adjournment:**
13

14 *Councilor Bronner MOVED for adjournment.*

15 *Seconded by Assistant Mayor Below*
16

17 **Roll Call Vote:**

18 Assistant Mayor Below, and Councilors Bronner, Heistad, Liot Hill, Prentiss, Sykes, Winny, Zook and
19 Mayor McNamara, all voting Yea.

20 None voted Nay.

21 **The Vote on the MOTION was unanimously approved (9-0).*
22

23 **The meeting was adjourned at 8:47 p.m.**
24

25 Respectfully submitted,

26 Dona E. Gibson

27 Recording Secretary

DRAFT

**CITY OF LEBANON
CITY COUNCIL
MINUTES OF CANVASS OF THE MARCH 9, 2021 VOTE
MARCH 11, 2021
REMOTE VIA MICROSOFT TEAMS**

MEMBERS PRESENT: Mayor Timothy McNamara, Assistant Mayor Clifton Below, Councilors George Sykes, Karen Zook and Karen Hill.

MEMBERS ABSENT: Councilors Jim Winny, Erling Heistad, Bruce Bronner and Suzanne Prentiss

STAFF PRESENT: City Manager Shaun Mulholland, and City Clerk Kristin Kenniston

This meeting took place virtually due to the COVID-19 Pandemic and was conducted in accordance with the Emergency Orders issued by the New Hampshire Governor according to NH RSA 91-A "Right-to-Know Law."

All Councilors attending the meeting remotely are listed above.

In accordance with the City Charter, the Council met in special session to canvass the March 9, 2021 municipal vote.

The meeting was called to order by Mayor McNamara at 8:07 am.

Mayor McNamara invited the public to comment on items not on the agenda. No one came forth from the public.

The City Council reviewed the voting results as presented by the City Clerk.

Motion by Councilor Sykes to accept the resolution as read by City Clerk Kenniston.

BE IT RESOLVED, that voting results of the March 9, 2021 City Election, as presented by the City Clerk, be accepted as printed and that the following persons be declared elected to serve as:

Ward Councilors:

(2-year term)	Douglas Whittlesey,	Ward 1
	Devin Wilkie,	Ward 2
	Clifton Below,	Ward 3

Councilor At Large:

(2-year term) Karen Liot Hill

Library Board of Trustees:

(3-year term) Michael Stebbins
Emma Wunsch

Moderator:

(2-year term)

Kristin Swan,	Ward 1
Crystallee Newton	Ward 2
Jessica Giordani	Ward 3

Ward Clerk:

(2-year term)

Lauren Whittlesey	Ward 1
Susan Desrosiers	Ward 2
Anne MacEwan	Ward 3

Supervisors of the Voter Checklist:

(2-year term)

Lucinda Rossoll	Ward 1
Eileen Taylor	Ward 1
Brian Ware	Ward 1
Valentina Baldwin	Ward 2
Ruth Cioffredi	Ward 2
Kathy Harrington	Ward 2
Heidi Conner	Ward 3
Kim Rheinlander	Ward 3
Karen Sheehan	Ward 3

BE IT FURTHER RESOLVED, that the results of the Zoning Ordinance Amendments be accepted as follows:

VOTING RESULTS RE: Zoning Amendment #1 – Amend the Residential One (R-1) District to allow the height of a proposed building to exceed the 45 ft. maximum by up to 10 ft. if the additional building height is for the purpose of accommodating a parking structure underneath or within the building. The applicant would need to apply to the Planning Board for a Conditional Use Permit and demonstrate that the proposed additional building height satisfies the Enhanced Performance Standards set forth in Section 302.D.4 of the Zoning Ordinance. If a Conditional Use Permit is granted, the building will be required to be set back an additional two (2) ft. from all lot lines for every one (1) ft. of additional building height approved by the Planning Board. *(Zoning Ordinance Section 308.3 and new Section 308.4)*

	WARD 1	WARD 2	WARD 3	TOTALS
YES	491	442	453	1386
NO	124	175	172	471

VOTING RESULTS RE: Zoning Amendment #2 – In the Residential Three (R-3) District, change “house of worship” from a use allowed by Special Exception to a permitted use. Currently, in all other zoning districts where a “house of worship” is allowed, it is listed as a permitted use and not as a use by Special Exception. (*Zoning Ordinance Section 310.3*)

	WARD 1	WARD 2	WARD 3	TOTALS
YES	465	454	469	1388
NO	158	191	188	537

VOTING RESULTS RE: Zoning Amendment #3 – Clarifies that in the Residential Three (R-3) District, the maximum permitted density for senior housing complexes and planned unit residential developments is one (1) dwelling unit per each 10,000 sq. ft. of lot area. For senior housing complexes, density in excess of one (1) dwelling unit per 10,000 sq. ft. of lot area is now and will continue to be allowed by Special Exception from the Zoning Board of Adjustment. (*new Zoning Ordinance Section 310.4*)

	WARD 1	WARD 2	WARD 3	TOTALS
YES	527	523	536	1586
NO	94	122	123	339

Seconded by Councilor Hill.

Roll Call Vote:

Assistant Mayor Below, and Councilors Sykes, Hill, Zook and Mayor McNamara, all voting Yea.

None voted Nay.

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

Motion by Assistant Mayor Below to adjourn the meeting at 8:14am.

Seconded by Councilor Sykes

Roll Call Vote:

Assistant Mayor Below, and Councilors Sykes, Hill, Zook and Mayor McNamara, all voting Yea.

None voted Nay.

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

The meeting adjourned at 8:15 am.

Respectfully submitted,

Kristin M. Kenniston
City Clerk

**AGENDA
LEBANON CITY COUNCIL
MARCH 17, 2021**

7. APPOINTMENTS:

APPOINTMENTS

Board/Committee Appointments as presented by City Clerk Kristin Kenniston

- Lebanon Housing Authority, Ian Girdwood (Citizen Member)

Included in this Section:

1. Memo from City Clerk Kristin Kenniston dated March 10, 2021

OFFICE OF THE CITY CLERK

MEMORANDUM

DATE: March 10, 2021

TO: The Honorable Mayor & City Council

FROM: Kristin M. Kenniston, City Clerk

RE: **Appointments Proposed for Council Discussion/Action:**

If the Council wishes to proceed with action on the appointments below, a nomination should be made and voted on for each appointment. *Note: nominations do not need to be seconded.*

Lebanon Housing Authority

- **Ian Girdwood** – Appointment as a Citizen Member to fill a vacant seat for the remainder of the unexpired term.
Interviewed by: Councilor Hill
Unexpired Term (3/21 – 10/22)

From: [Alesia Williams](#)
To: [Kristin Kenniston](#)
Subject: FW: Online Form Submission #4336 for Board Member Application
Date: Monday, November 9, 2020 7:36:39 AM

Thank you,

Alesia Williams
Assistant City Clerk
City of Lebanon
(603)448-3054
(603)442-6148 (fax)

From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Sunday, November 8, 2020 11:14 AM
To: cityclerk <cityclerk@lebanonnh.gov>; webmaster <webmaster@lebcity.com>
Subject: Online Form Submission #4336 for Board Member Application

Board Member Application

Board Member Application
City of Lebanon board / committee member application.

Basic Requirements

- *Lebanon/West Lebanon resident (except for those boards whose membership makeup includes non-resident)*
- *Willingness to learn*
- *Commitment to attend meetings*
- *Treat people fairly*
- *Consider the best interest of the community as a whole when making decisions*
- *Must have attended one meeting of the board that you wish to apply to within the last six months to observe the process and function of the board.*

(Section Break)

First Name	Ian
Last Name	Girdwood
Physical Address	29 Old Etna Rd, Apt 1
City	Lebanon

State	New Hampshire
Zip Code	03766
Is this your mailing address?	Yes
Home Phone Number	6032526571
Work Number	8023338107
Email Address	irgird14@gmail.com
How long have you resided in Lebanon?	20 years
(Section Break)	
Is this an application for re-appointment?	This application is not for re-appointment.
For which board, committee, or commission are you applying?	Other (please fill in blank)
Other Committee	Lebanon Housing Authority
Why would you like to serve?	I believe that affordable housing is an important issue in our community. The LHA's goal of ensuring safe and affordable housing to income-eligible community members resonates with me and I would love the opportunity to be a part of the LHA's mission.
State a few of what you feel your qualifications are or why you wish to be appointed to this board / committee.	I'm not sure what the qualifications are to be on the board for the LHA, but I am born and raised in Lebanon, a college graduate, and have returned to work in the upper valley. As someone who rents in the area affordable housing is something that I care about, and I believe I could bring a valuable perspective to the board as a young community member. I have a passion for this area and would love to give back to the community and do my part to make Lebanon an attractive and accessible place for all. If it helps, I have spent summers in the past working for the city of Lebanon with the recreation department so I am familiar with local government and have worked directly with children who benefit from public housing.
Certification	I hereby certify that I meet the basic requirements for applying to a Lebanon board / committee.

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

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

Councilor Interview Report Form

Councilor Name: Karen Liot Hill

Date of Interview: March 3, 2021

Applicant Name: Ian Girdwood

Board(s) to Which Applied: Lebanon Housing Authority

☒ Regular Seat

☐ Alternate Seat

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

(If yes, indicate date of meeting.) Date: February 2021

Recommend Appointment: ☒ Yes ☐ No

☒ Regular Seat

☐ Alternate Seat

General Comments: Ian Girdwood is a lifelong resident of Lebanon who returned to the city after being away for college. He brings the perspective of a younger generation (20-something) and has interacted with Lebanon residents from many different walks of life through school, church, and working with Lebanon Parks and Recreation. I highly recommend his appointment to the Lebanon Housing Authority.

(PLEASE NOTE: THIS FORM WILL BE INCLUDED IN THE AGENDA MATERIALS WHEN APPLICANT IS SCHEDULED TO APPEAR BEFORE THE CITY COUNCIL.)

Standard Questions for All Applicants:

1) What do you believe is the purpose of this Board/Committee?

Purpose is to provide and ensure that people of lower income or certain circumstances have access and availability of safe and affordable housing.

2) Are you familiar with the meeting dates and time commitments of this Board/Committee?
Would you be available for additional meetings, site visits, or other official events when necessary?

Yes, I understand they meet the third Thursday of every month. I am available and willing to do extra meetings as needed.

3) Do you have any previous experience working with this type of Board/Committee, or in a related field, in this community or any other community?

This would be my first foray into public service in this capacity. The way that I have linked with this in the past is through my work with Lebanon Parks & Rec, Lebanon Rowing, volunteering with First Baptist Church and interacting with people who use these services. This would be my first time serving on a board.

4) Do you have any interest in attending educational presentations and seminars in order to further educate yourself relative to the work of this Board/Committee?

Yes, absolutely

5) Do you anticipate that you would have to recuse yourself from more than an occasional meeting due to a conflict of interest (perceived or real) relating to your past or present employment, organizational membership, real estate holdings, family ties, or other reasons?

Not to my knowledge.

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

One of the challenges that seems to be facing it right now is adapting and responding to COVID and how that's led to housing insecurity. There are a lot of people with concerns about where the next paycheck is coming from. Now more than ever, it's important to have access to safe and affordable housing in our Lebanon community.

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

With everything going more digital now, people have been forced to think about how to do more outreach that way. More people are asking about housing and availability, thinking about our community and whether we have the resources. It's a good opportunity to increase awareness.

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

I'm excited about the Heater Road project and increasing housing units and the capacity to have more people covered through Lebanon Housing. Seeing that through to the end in the next year is really an exciting project.

**AGENDA
LEBANON CITY COUNCIL
MARCH 17, 2021**

8. PUBLIC HEARING ITEMS:

**8.A – ORDINANCE 2021-01 TO
AMEND CITY CODE CHAPTER 31, ARTICLE VII, HERITAGE COMMISSION &
ARTICLE X, ARTS AND CULTURE COMMISSION**

A public hearing for the purpose of receiving public input and taking action on Ordinance 2021-01 to amend City Code Chapter 31, Article VII, Heritage Commission & Article X, Arts & Culture Commission.

The City Council scheduled this public hearing at their March 3, 2021 regular meeting. The public hearing was properly noticed in the *Valley News* on March 6, 2021 in accordance with City Code and State Law.

BACKGROUND

By action of the City Council on May 21, 2014, the City's Fountain Committee was dissolved and recreated as the Fountain Working Group and placed under the umbrella of the Heritage Commission. The charge of the Heritage Commission was formally amended in 2016 to include the following:

"H. Work towards the purchase and installation of fountains within the City of Lebanon by raising funds; coordinating volunteer efforts; locating fountains for purchase by the City; developing plans for the location of fountains; and seeking approval by the Heritage Commission and the City Council prior to the installation of any new fountain."

The Fountain Working Group procured and installed its last fountain at the Glenwood Cemetery in 2020. Members of the group have since stepped aside. We continue to be thankful for the work they accomplished over their many years of dedicated service.

In December 2018, the City Council established the Arts and Culture Commission and charged them with taking a lead role in implementing Chapter 12 of the City's Master Plan (Community Design and Civic Art). Within this chapter, fountains are recognized as a cultural and civic art resource, and implementation strategies and action items refer to reestablishing Lebanon as the "City of Fountains".

With all of this in mind, City administration is recommending that the charge of the Arts and Culture Commission be amended to assume the role of fountain procurement. An amendment to the City Code is required to effectuate the change and is outlined in Ordinance 2021-01.

ACTION

If the Council decides to move forward, the following motion is offered for consideration:

MOVED, that the Lebanon City Council hereby adopts Ordinance #2021-01, to amend City Code, Chapter 31, Boards, Committees & Commissions, Article VII, Heritage Commission and Article X, Arts and Culture Commission, to amend the charge of the Arts and Culture Commission to assume the role of fountain procurement.

Included in this Section:

1. Ordinance 2021-01
2. Notice of Public Hearing as Published in the March 6, 2021 Edition of the *Valley News*

**CITY OF LEBANON
ORDINANCE #2021-01**

AN ORDINANCE TO AMEND Chapter 31, Boards, Committees and Commissions, of the Code of the City of Lebanon, by deleting §31-33.H and adding §31-45.E.

Section 1:

The Code of the City of Lebanon is hereby amended by deleting the following:

Article VII, Heritage Commission, §31-33. Purposes; powers, Heritage Fund.

~~H. Work towards the purchase and installation of fountains within the City of Lebanon by raising funds; coordinating volunteer efforts; locating fountains for purchase by the City; developing plans for the location of fountains; and seeking approval by the Heritage Commission and the City Council prior to the installation of any new fountain.~~

Section 2:

The Code of the City of Lebanon is hereby amended by adding the following:

Article X, Arts and Culture Commission, Section 31-45. Duties and responsibilities.

~~E. Working towards the purchase and installation of fountains within the City by raising funds; coordinating volunteer efforts; locating fountains for purchase by the City; and developing plans for the location of fountains. City Council approval is required prior to the installation of any new fountain.~~

Section 3: 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 4: Effective Date

This ordinance shall become effective upon passage.

March 6, 2021



**LEBANON CITY COUNCIL
NOTICE OF PUBLIC HEARING**
Wednesday, March 17, 2021 - 7:00pm
REMOTE VIA WEBEX
LebanonNH.gov/LIVE

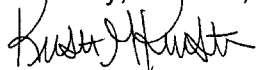
The Lebanon City Council will hold a public hearing on March 17, 2021, beginning at 7:00pm for the following:

A. ORDINANCE #2021-01 A public hearing for the purpose of receiving public input and taking action on proposed Ordinance 2021-01 to amend City Code Chapter 31, Board, Committees & Commissions, Article VII, Heritage Commission and Article X, Arts and Culture Commission.

The March 17, 2021 City Council agenda package will be available on the City's website (www.lebanonnh.gov) beginning March 12, 2021. Documents pertaining to the above described public hearings can be reviewed at this link: LebanonNH.gov/031721PH

Due to the current situation with the COVID-19 Pandemic, the City of Lebanon is offering its meetings via Webex. Members of the public are encouraged to attend by going to LebanonNH.gov/Live where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the Webex software or by phone. Please visit LebanonNH.gov/Live for full details.

The foregoing notice was published in the *Valley News*, a newspaper of general circulation in the City of Lebanon, in accordance with the Code of the City of Lebanon on Saturday, March 6, 2021.



Kristin M. Kenniston, City Clerk

**AGENDA
LEBANON CITY COUNCIL
MARCH 17, 2021**

9. OLD BUSINESS:

**9.A – PRESENTATION OF SECOND READING: AMENDMENTS TO
ORDINANCE NO. 18, SALARY PLAN,
ARTICLE II, NON-AFFILIATED & LPASE EMPLOYEES, TO INCLUDE THE
POSITIONS OF UTILITY BILLING CLERK (GRADE 8) AND ACCOUNTING CLERK
(GRADE 3) WITHIN THE PAY PLAN FOR REGULAR FULL-TIME AND REGULAR
PART-TIME EMPLOYEES AND TO RETITLE POSITIONS IN THE CITY CLERKS
AND CYBER SERVICES DEPARTMENTS**

BACKGROUND

REORGANIZATION OF CITY CLERK'S OFFICE & FINANCE DEPARTMENT

City Manager Mulholland is reorganizing positions within the City Clerk's office and Finance department to implement "central collections." Central collections will provide the ability for the public to pay taxes or water & sewer bills while registering to vote, registering their motor vehicles, or applying for a marriage license and will allow the Finance Department to better concentrate efforts on financial services and management.

To assist in the transition, the tax collection functions currently managed by Finance are being moved under the umbrella of the City Clerk. In this, the positions of City Clerk and Tax Collector are being combined; and the position of Deputy Tax Collector (Grade 8) is being moved from Finance to City Clerk.

Currently the duties of the Deputy Tax Collector include billing and collection for water, sewer, and landfill services. These duties will remain in finance under a position to be titled "Utility Billing Clerk" (Grade 8). Duties for the revised Deputy Tax Collector position will be those associated with tax collection plus those associated with Assistant City Clerks (motor vehicle registration, dog licensing, issuance of vital records, election processing, etc.). As such, the Deputy Tax Collector will be fully able to assist with counter coverage and daily public interactions.

Over the years, the Tax Collector has taken on duties to assist the Finance Department with accounts payable and accounts receivable operations. Prior to the implementation of the revised compensation and classification system for non-affiliated employees in 2018, a position titled "Accounting Clerk" was part of the pool of positions in the City. Administration is reinstituting the position (part-time only) so the Finance Department may hire a person to assume the duties that will not be transferred to the City Clerk.

All necessary funding to complete this transition is existing within the 2021 approved budget. The salary for the Tax Collector will be utilized by the City Clerk's Office to facilitate the move of the newly appointed Deputy Tax Collector and the funding for the retitled position of Utility Billing Clerk is included in the Finance budget, as is funding for a part-time Accounting Clerk.

RETITLING POSITIONS FROM “INFORMATION TECHNOLOGY” TO “CYBER SERVICES”

With the ever-evolving world of technology, and the all-encompassing functions associated with protecting the City’s technological resources, City Manager Mulholland has renamed the Information Technology Department to “Cyber Services.” As such, positions currently titled “Information Technology” need to be updated. Positions include: Information Technology Director - Grade 15 (to be retitled Cyber Services Director); and Information Technology Technical Specialist - Grade 9 (to be retitled Cyber Services Technical Specialist). The Systems and Information Technology Administrator (Grade 13) title will remain as is and assigned grades for all positions will not change.

Process to Amend Ordinance No. 18

Amending Ordinance No. 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.

On March 3, 2021, the City Council scheduled a public hearing for April 7, 2021 and recognized the first reading of the proposed amendment to Ordinance No. 18 to include the positions of Utility Billing Clerk (Grade 8) and Accounting Clerk (Grade 3) within the pay plan for regular full-time and regular part-time employees and to retitle positions in the City Clerks and Cyber Services Department. The third presentation will be held on April 7 along with the Public Hearing and action to adopt the proposed amendment. In accordance with the City Charter, the City Council is now asked to recognize the second of three presentations.

ACTION

The City Council is asked to take the following action:

1. ACKNOWLEDGE SECOND PRESENTATION:

MOVED, that the Lebanon City Council acknowledges the second of three presentations to amend Ordinance No. 18, Salary Plan, Article II, Non-Affiliated & LPASE Employees, as follows:

- 1. Retitle City Clerk to City Clerk/Tax Collector (Grade 12);***
- 2. Include the position of Utility Billing Clerk (Grade 8);***
- 3. Include the position of Accounting Clerk (Grade 3);***
- 4. Retitle Information Technology Director to Cyber Services Director (Grade 15); and***
- 5. Retitle Information Technology Technical Specialist to Cyber Services Technical Specialist (Grade 9)***

Changes in the table below shown in **red**.

REGULAR FULL-TIME/REGULAR PART-TIME NON-AFFILIATED & LPASE EMPLOYEES – 2021 SALARY & GRADES					
<u>Grade</u>	<u>Position Title</u>	Hourly		Weekly	
		<u>Minimum</u>	<u>Maximum</u>	<u>Minimum</u>	<u>Maximum</u>
1	General Intern II	\$16.77	\$22.64	-	-
2	Custodian	\$17.78	\$23.99	-	-
	Department Secretary	-	-	-	-
3	Airport Maintenance Worker	\$18.84	\$25.44	-	-

	Custodian I	-	-	-	
	Accounting Clerk				
4	Library Assistant	\$19.98	\$26.97	-	-
5		\$21.17	\$28.57	-	-
6	-	\$22.44	\$30.29	-	-
7	Administrative Assistant	\$23.78	\$32.45		
	Administrative Secretary			-	-
	Assessing Clerk	-	-	-	-
	Assistant City Clerk	-	-	-	-
	Assistant Human Services Director	-	-	-	-
	Communications Specialist	-	-	-	-
	Library Administrative/Technical Assistant	-	-		-
8	Administrative Assistant	\$25.21	\$34.04	-	-
	Benefits Coordinator/Payroll Specialist	-	-	-	-
	Deputy City Clerk	-	-	-	-
	Deputy Tax Collector	-	-	-	-
	Field Inspector**	-	-	-	-
	Electrical Inspector**	-	-	-	-
	Utility Billing Clerk				
	Outreach Librarian	-	-	\$1,008.55	\$1,361.65
	Young Adult Librarian	-	-	-	-
9	Code Health Inspector**	\$27.73	\$37.43	-	-
	Executive Assistant	-	-	-	-
	Digital Media Officer	-	-	-	-
	Cyber Services Technical Specialist				
	Information Technology Technical Specialist				
	Real Estate Appraiser II**	-	-	-	-
	Children's Librarian			\$1,109.20	\$1,497.36
	Associate Planner**	-	-		
	Systems Librarian	-	-	-	-
	Information Technology Librarian	-	-	-	-
10	Assistant City Engineer**	\$30.50	\$41.18	-	-
	Cemetery Sexton**	-	-	-	-
	Financial Analyst	-	-	-	-
	Fleet Maintenance Supervisor**	-	-	-	-
	Maintenance Superintendent**	-	-	-	-
	Utilities Maintenance Superintendent**				
	Police Communications Supervisor**	-	-	-	-
	Tax Collector	-	-	-	-
	Human Services Director	-	-	\$1,220.15	\$1,647.20
	Recreation Program Coordinator**	-	-		
11	Technical Advisor I	\$33.59	\$45.34	-	-
	Administrative Services Manager**	-	-	\$1,343.60	\$1,813.60
	Airport Operations Supervisor**	-	-	-	-
	Assistant Recreation Director**	-	-	-	-
	Code Enforcement Director**	-	-	-	-
	Deputy Library Director	-	-	-	-
	Fire Marshall**	-	-	-	-
	Planner/GIS Coordinator**	-	-	-	-
	Senior Planner**	-	-	-	-

12	Wastewater Treatment Superintendent**	\$35.60	\$48.05	-	-
	Water Treatment Superintendent**	-	-	-	-
	City Assessor**	-	-	\$1,424.00	\$1,922.00
	City Clerk/Tax Collector	-	-	-	-
	City Clerk	-	-	-	-
	City Engineer**	-	-	-	-
	City Planner**	-	-	-	-
	Deputy Finance Director	-	-	-	-
	Energy & Facilities Manager**	-	-	-	-
	Police Lieutenant**	-	-	-	-
	Prosecuting Attorney	-	-	-	-
	Solid Waste Manager**	-	-	-	-
13	Airport Manager	-	-	\$1,509.21	\$2,037.39
	Assistant Fire Chief	-	-	-	-
	Deputy Fire Chief	-	-	-	-
	Deputy Police Chief	-	-	-	-
	Human Resources Director	-	-	-	-
	Information Systems Manager**	-	-	-	-
	Maintenance Manager**	-	-	-	-
	Recreation Director	-	-	-	-
	Police Captain**	-	-	-	-
	Systems and Information Technology Administrator				
14	Assistant Director/Public Works	-	-	\$1599.77	\$2,159.70
	Chief Assessor	-	-	-	-
	Library Director	-	-	-	-
15	Cyber Services Director	-	-	\$1,695.84	\$2,289.20
	Information Technology Director				
16	Technical Advisor II	\$44.93	\$60.66		
	Chief of Police	-	-	\$1,797.42	\$2,426.40
	Director of Planning and Zoning	-	-	-	-
	Director of Public Works	-	-	-	-
	Finance Director	-	-	-	-
	Fire Chief	-	-	-	-
	Deputy City Manager	-	-	-	-

**denotes LPASE Positions

**AGENDA
LEBANON CITY COUNCIL
MARCH 17, 2021**

10. NEW BUSINESS:

**10.A – REQUEST FOR EXCEPTION FROM CITY CODE CHAPTER 110,
NOISE FROM SOUND AMPLIFICATION SYSTEMS –
8 PLEASANT STREET, WEST LEBANON**

BACKGROUND

City Code Chapter 110, "Noise from Sound Amplification Systems," allows residents to obtain a permit for sound amplification between the hours of 8am – 8pm Chapter 110-2(B) allows the City of Lebanon upon its motion, or upon application and for good cause shown, may modify, suspend, repeal or amend the provisions of any rule or regulation or section herein contained.

Charles and Valerie Martin of 8 Pleasant Street, West Lebanon were issued a Sound Permit from the Lebanon Police Department for a function on Saturday, August 7, 2021. The permitted time frame is 2:00pm – 8:00pm. The Martins are requesting an extension to allow the amplification equipment to be utilized until 10:00pm.

ACTION

Should the Council wish to grant permission, the following motion is offered for consideration:

MOVED, that the Lebanon City Council, in accordance with City Code Chapter 110, Noise from Sound Amplification System, §110-2, hereby authorizes Charles and Valerie Martin of 8 Pleasant Street, West Lebanon, to utilize amplification equipment until 10:00pm on Saturday, August 7, 2021, provided that the area neighbors are notified in advance.

Included in this Section:

1. Lebanon Police Department Issued Sound Permit
2. City Code Chapter 110. Noise from Sound Amplification Systems



CITY OF LEBANON NH—POLICE DEPARTMENT

APPLICATION FOR SOUND PERMIT

(IN ACCORDANCE WITH CITY CODE §110)

Please submit to the Lebanon Police Department at least two weeks prior to the event.

Applicant Name: Charles & Valerie MartinBusiness/Organization: N/AStreet Address 8 Pleasant St. City West Lebanon State NH Zip 03784Phone: 603-298-5178 Email: valchuck94@gmail.com**EVENT INFORMATION**Event Date: 8/7/21 *Start Time: 2pm End Time: 10pm
*Hours are limited to Monday-Saturday, 8am—8pm and Sunday 1pm—5pm, unless approval by City Council.Location of Event: 8 Pleasant St. West Lebanon, NH 03784Event Purpose: Music / Karaoke for our End of Summer BBQ *(If it's safe to hold at this point due to COVID)*Type of Sound Equipment: portable PA system Number of Units: 2**SOUND TRUCK INFORMATION (if applicable)**Vehicle Registration #: N/AYear/Make/Type of Vehicle: N/A

Name & Address of Vehicle Operator & Sound Amplifying Equipment Operator:

N/A

Proposed Route of Truck:

N/AApproximate Distance the sound will be audible from the vehicle: N/A**Agreement and Signature**

Applicant agrees by their signature below that they have read and agree to the terms and conditions of the City Code Chapter 110—Application for Sound Permit.

Signature: Valerie R Martin Date: 1/26/21**FOR OFFICE USE ONLY**Date Received: 2/3/2021

PERMIT #

APPROVALPolice Chief Approval: Richard MelloDate: 2/3/2021

City Council Approval (if needed):

Date:

Chapter 110

NOISE FROM SOUND AMPLIFICATION SYSTEMS

GENERAL REFERENCES

Noise by vendors — See Ch. 179.

§ 110-1. Declaration of policy.

A. It is hereby declared that:

- (1) The use or operation of public address systems, loud speakers and other similar amplifying systems for the reproduction and amplification of the human voice, music and other sounds is a condition which has existed for some time and the extent and volume of such use is increasing; and that
- (2) The continued uncontrolled use and operation of public address systems, loud speakers and other similar amplification systems on the street, in front of or outside of any building, place or premises, or in any vehicle operated, standing or being in or on any public street, highway, park or place, or from any stand, platform or other structure or anywhere on or in the public streets, parks or places is detrimental to the public health, comfort, convenience, safety and welfare of the citizens of the City of Lebanon, and that
- (3) The continued uncontrolled use or operation of such public address systems, loud speakers and other similar amplifying systems diverts the attention of pedestrians and vehicle operators in the public streets, highways, parks and places, thus increasing traffic hazards and causing injury to life and limb; therefore

B. It is hereby declared as a matter of legislative determination and necessity in the public interest that the rules, regulations and provisions hereinafter contained be and are hereby enacted for the purpose of securing and promoting the public health, comfort, convenience, safety and welfare, and the peace and quiet of the City of Lebanon and its inhabitants.

§ 110-2. Application of rules and regulations.

- A. The rules and regulations herein contained shall apply to any person, firm, corporation, association, club, partnership, society or any other form of association or organization.
- B. The City of Lebanon upon its own motion, or upon application and for good cause shown, may modify, suspend, repeal or amend the provisions of any rule or regulation or section herein contained. The sections of these rules and regulations, and the parts thereof, are

separable. If any portion of these rules and regulations, or the application thereof to any person or circumstance, shall be held invalid, the remainder thereof or the application of such invalid portions to other persons or circumstances shall not be affected thereby.

§ 110-3. Definitions.

Wherever used in this article, the following terms shall mean and include;

PERSON — Includes the singular and plural and also any person, firm, corporation, association, club, partnership, society or any other form of association or organization.

SOUND-AMPLIFYING EQUIPMENT — Any public address systems, loud speakers, radios, phonograph machine, device or apparatus for the amplification and reproduction of the human voice, music or other sounds.

SOUND TRUCK — Any vehicle having mounted thereon or attached thereto any sound-amplifying equipment or apparatus.

§ 110-4. Permit required; profane speech and music prohibited.

- A. It shall be unlawful for any person to use or operate or cause to use or operate any sound-amplifying equipment for commercial or noncommercial purposes on the street, in front of or outside of any building, place or premises, or in any vehicle operated, standing or being in or on any public street, highway, park or place or from any stand, platform or other structure or anywhere on or in the public streets, highways, parks or places within the corporate limits of the City of Lebanon unless he/she shall first obtain a permit from the City of Lebanon in the manner hereinafter prescribed and in accordance with the provisions of this article.
- B. The use of profane, lewd, indecent or slanderous human speech and music reproduced or amplified by means of sound-amplifying equipment is expressly prohibited.

§ 110-5. Application for permit.

- A. Each applicant for a permit shall file a written application on an application form provided for this purpose with the Chief of Police at least three days prior to the date upon which such sound amplifying equipment or apparatus is to be used or operated.
- B. The application shall provide the following information:
 - (1) Name and address of applicant.
 - (2) Address of place of business.
 - (3) Date or dates of proposed use and operation of the sound-amplifying equipment.

- (4) The proposed hours of use and operation of the sound-amplifying equipment.
- (5) The purpose for which the sound-amplifying equipment will be used and operated.
- (6) If a sound truck, the registration, motor number and make of the vehicle.
- (7) Name and address of the vehicle operator and sound-amplifying equipment operator.
- (8) The proposed route of the sound truck.
- (9) The approximate maximum distance the sound will be audible from the point of origination.

§ 110-6. Terms for issuance of permits.

- A. The issuing authority shall be the Chief of Police, and a permit shall not be denied for any specific time, location or use to any applicant who complies with the provisions of this article, except as hereinafter excepted:
 - (1) Improper and incorrect application.
 - (2) Overlapping in the granting of permits for the same purpose or for more than one purpose within a maximum of 100 yards of each.
 - (3) In any location within 100 yards of a school, courthouse, church, hospital or similar institution.
 - (4) In any location between the hours of 8:00 p.m. and 8:00 a.m.
 - (5) In or on any vehicle standing or in motion between the hours of 8:00 p.m. and 8:00 a.m.
 - (6) In any location where the volume of sound emitted from the sound-amplifying equipment will be audible for a distance in excess of 100 yards from the place or places where such sound-amplifying equipment or apparatus will be located.
 - (7) In any location where, upon investigations by the issuing authority, it shall be determined that the conditions of vehicular and/or pedestrian traffic are such that the use of sound-amplifying equipment or apparatus will constitute a threat to the safety of pedestrians or vehicle operators.
- B. The Chief of Police may issue permits for single occurrences, or on a quarterly, semiannual or annual basis. Permits issued quarterly, semiannually or annually shall be renewed on or before the anniversary date of the permit to allow continued use of the sound-amplifying equipment.

§ 110-7. Sundays and legal holidays.

Except between the hours of 1:00 p.m. and 5:00 p.m., on Sundays and legal holidays, and only by special permission of the City Council for good cause shown, permission to use and operate sound-amplifying equipment shall not be granted. This is so ordered to ensure against interference with religious services or civic observances and the general tranquillity of the community.

§ 110-8. Possession and display of permit.

The permit shall be kept at all times where it can be readily obtained and promptly shown to any police officer of the City of Lebanon upon request.

§ 110-9. Exceptions.

The provisions of this article shall not apply to the use of sound-amplifying equipment and apparatus in the following uses:

- A. Any church or synagogue on or within its own premises in connection with its religious rites or ceremonies.
- B. Authorized band concerts, street dances, street fairs and special events.
- C. Athletic contests when held within the confines of a stadium, athletic field or municipal park or playground.
- D. Use by the several departments of the municipal government in the proper exercise of their individual functions.
- E. Use in a nonresidential zoning district when specifically approved by the City Council after a duly noticed public hearing and found not to have any negative impacts and with any condition the City Council may choose to place on it. **[Added 8-7-1996]**

§ 110-10. Permit fees.

No permit fees shall be imposed upon any applicant for permit under the terms of this article.

§ 110-11. Penalties for offenses.

Any person who shall violate any provision of this article, upon conviction thereof, shall be punished as provided in Chapter 1, General Provisions.

**AGENDA
LEBANON CITY COUNCIL
MARCH 17, 2021**

10. NEW BUSINESS:

10.B – DISCUSSION & SET PUBLIC HEARING FOR APRIL 7, 2021:
ORDINANCE 2021-02 TO AMEND CITY CODE CHAPTER 136,
SEWER SERVICE, SECTION 136-78, COLLECTION

BACKGROUND

City Manager Mulholland is reorganizing positions within the City Clerk's office and Finance department to implement "central collections." In addition to central collections, reorganization efforts will split the responsibility for billing of collections (taxes and utilities) between the City Clerk (taxes) and Finance Department (water & sewer).

Chapter 136, Sewer Service, of the City Code currently commits the collection of fees and assessments for sewer charges to the Tax Collector. In order to keep this function with the Finance Department, administration is proposing to have the collection of fees and assessments committed to the Finance Director. Past due fees and assessments would still be committed to the Tax Collector, so they would be subject to the same lien process as past due taxes.

ACTION

The following motion is offered for Council consideration:

MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, April 7, 2021, beginning at 7:00pm, Remote via Webex, for the purpose of receiving public input and taking action on proposed Ordinance #2021-02, to amend City Code, Chapter 136, Sewer Service, §136-78, Collection.

Included in this Section:

1. Proposed Ordinance 2021-02

**CITY OF LEBANON
ORDINANCE #2021-02**

AN ORDINANCE TO AMEND the Code of the City of Lebanon, Chapter 136, Sewer Service, Article X, Collection and Abatement, Section 136-78, Collection.

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 136, Sewer Service, Article X, Collection and Abatement, Section 136-78 as follows:

§ 136-78 Collection

Collection of the fees and assessments made herein are committed to the Finance Director ~~Collector of Taxes~~. The ~~Tax Collector~~ Finance Director shall have the same rights and remedies and be subject to the same liabilities in relation thereto as in the collection of taxes. Collection of the fees and assessments that are past due shall be committed to the Tax Collector.

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

This Ordinance shall become effective upon passage.

**AGENDA
LEBANON CITY COUNCIL
MARCH 17, 2021**

10. NEW BUSINESS:

10.C – DISCUSSION & SET PUBLIC HEARING FOR APRIL 7, 2021:
ORDINANCE 2021-03 TO AMEND CITY CODE CHAPTER 182,
WATER SERVICE, §182-31, COLLECTION

BACKGROUND

City Manager Mulholland is reorganizing positions within the City Clerk's office and Finance department to implement "central collections." In addition to central collections, reorganization efforts will split the responsibility for billing of collections (taxes and utilities) between the City Clerk (taxes) and Finance Department (water & sewer).

Chapter 182, Water Service, of the City Code currently commits the collection of fees and assessments for water charges to the Tax Collector. In order to keep this function with the Finance Department, administration is proposing to have the collection of fees and assessments committed to the Finance Director. Past due fees and assessments would still be committed to the Tax Collector, so they would be subject to the same lien process as past due taxes.

ACTION

The following motion is offered for Council consideration:

MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, April 7, 2021, beginning at 7:00pm, Remote via Webex, for the purpose of receiving public input and taking action on proposed Ordinance #2021-03, to amend City Code, Chapter 182, Water Service, §182-31, Collection.

Included in this Section:

1. Ordinance 2021-03

**CITY OF LEBANON
ORDINANCE #2021-03**

AN ORDINANCE TO AMEND the Code of the City of Lebanon, Chapter 182, Water Service, Article V, Service Billing; Discontinuance of Service; Collection and Abatement; Penalties, Section 182-31, Collection.

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 182, Water Service, Article V, Service Billing; Discontinuance of Service; Collection and Abatement; Penalties, Section 182-31 as follows:

§ 182-31 Collection.

Collection of the fees made herein are committed to the Finance Director ~~Collector of Taxes~~, who shall act under a warrant, requiring said Finance Director ~~Collector of Taxes~~ to collect these assessments. The Finance Director ~~Tax Collector~~ shall have the same rights and remedies, including a lien on the real estate in relation thereto, as in the collection of taxes. Collection of the fees and assessments that are past due shall be committed to the Tax Collector. In the event of bankruptcy, the city may require a security deposit equal to the highest quarterly bill for water service prior to the date of bankruptcy filing for future water service, as provided by federal law. 11 USC § 366.

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

This Ordinance shall become effective upon passage.

**AGENDA
LEBANON CITY COUNCIL
MARCH 17, 2021**

10. NEW BUSINESS:

**10.D – PRESENTATION OF FIRST READING AND SET PUBLIC HEARING FOR
APRIL 21, 2021: AMENDMENT TO ORDINANCE NO. 18, SALARY PLAN,
ARTICLE II, NON-AFFILIATED & LPASE EMPLOYEES, SEASONAL/TEMPORARY
& STIPEND EMPLOYEES TO INCREASE 2021 WAGES FOR
MEMORIAL POOL & CAMP RECREATION, ARTS & PARKS EMPLOYEES**

BACKGROUND

The 2021 Budget was approved without funding to operate the pool this year. The anticipated revenue reductions as a result of the COVID-19 Pandemic required the implementation of necessary austerity measures to balance the City's budget. The US Congress passed legislation which was signed into law by the President that would provide revenue relief and other funding to address the impacts of COVID-19. This funding (as it appears right now) would come to the City from the federal government and allow for the operation of the pool this year. The City Manager is proposing the salary increases as shown in the charts provided for a number of reasons as annotated below:

1. These positions are seasonal with hourly rates that have never been assessed through a wage classification study.
2. The staff assigned to the positions at the pool and the summer camp program will be exposed to a higher level of risk to their own health regarding the possibility of contracting COVID-19 than they normally would be under the circumstances.
3. The labor marketplace rates have become very competitive in our area which we have not kept pace with.
4. Staff, especially summer camp staff, will be expected to work mandatory overtime due to the enhanced supervision needed to mitigate the risk of COVID-19 spread among camp participants. We expect staff will be working 50 hours per week for all six weeks of the program.
5. Some of the staff may not be able to obtain vaccinations by the time the pool and the summer camp program open which further enhances the risk to their health.
6. The rates proposed are only in place for the calendar year 2021. The Council will determine new rates during the annual budget process for budget year 2022. The CARES Act funding is one-time funding and unlikely to continue into 2022.

Process to Amend Ordinance No. 18

Amending Ordinance No. 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 March 17, and to schedule a public hearing for April 21, 2021 to amend the Ordinance. The second and third presentations will follow on April 7, and April 21, respectively.

ACTION

If the Council decides to move forward, the following motion is offered for consideration:

1. ACKNOWLEDGE FIRST PRESENTATION:

MOVED, that the Lebanon City Council acknowledges the first of three presentations to amend Ordinance No. 18, Salary Plan, Article II, Non-Affiliated & LPASE Employees, Seasonal/Temporary & Stipend Employees, to increase 2021 wages for Memorial Pool & Camp Recreation, Arts & Parks employees.

B. SEASONAL/TEMPORARY& STIPEND EMPLOYEES

Seasonal, temporary and part-time positions with less than 20 hours are not placed into grades. These positions are based upon comparable municipal positions and wages and/or local current market values. These positions are NOT eligible for employee benefits. Seasonal positions are up to 6 months in duration; part-time positions are less than 20 hours weekly and may be year-round or by event; temporary positions vary in length of service (less than 1 year).

Changes to the compensation and classification schedules are shown in red below. Strikeout text represents a deletion of the position due to consolidation or to remove duplicates.

POSITION TITLE	HOURLY	
ELECTION POSITIONS (HOURLY)		
Ballot Clerk		\$10.15
Election Assistant		\$10.15
Supervisors of the Checklist		\$10.15
Moderator		\$12.69
Ward Clerk		\$12.69
FIRE DEPARTMENT POSITIONS		
Call Firefighter	\$11.25	\$28.54
PARK AND RECREATION POSITIONS		
Camp Counselors	\$10.15	\$12.18
Front Desk Attendants – Pool	\$10.15	\$12.18 \$15.25
Head Front Desk Attendants	\$11.17	\$13.70
Site Assistant	\$10.15	\$13.20
Lifeguards	\$10.15	\$12.18 \$17.50
Head/Lead Counselors	\$13.20	\$16.24
Site Assistant	\$10.15	\$13.20
Head & WSI Lifeguards	\$12.18	\$15.23 \$18.25
Head Front Desk Attendant - Pool	\$12.18	\$15.23 \$15.50
Outdoor Adventurer - Educator	\$12.69	\$16.24
Softball Coordinator	\$12.69	\$16.24
Camp Director	\$13.20	\$16.24 \$20.00
Day Camp Counselors	\$10.15	\$14.21 \$15.25
Arts & Craft Director	\$13.20	\$16.24 \$17.00
Farmers Market Coordinator	\$14.21	\$18.27
Market Assistant	\$12.18	\$15.23
Tennis Instructor	\$15.23	\$19.29
Stomp & Romp	\$15.23	\$19.29
Asst. Pool Director	\$15.23	\$19.29 \$21.00
Pool Director	\$16.24	\$20.30 \$24.00
LIBRARY POSITIONS		
Circulation Substitutes		\$13.41

Reference Librarian Substitutes		\$22.65
PUBLIC WORK POSITIONS		
Engineering Clerk	\$11.17	\$14.21
GIS Clerk - (or Intern)	\$15.23	\$17.26
Seasonal Laborers – Summer & Fall DPW, Parks & Rec. & Airport	\$16.24	\$19.29
CDL Seasonal Drivers	\$22.81	\$27.30
PLANNING POSITIONS		
Park Ranger	\$15.23	\$17.26
POLICE DEPARTMENT POSITIONS		
Crossing Guard		\$16.53
Communications Specialist	\$23.78	\$32.45
Police Administrative Aide	\$20.30	\$23.35
Parking Control Officer	\$20.30	\$23.35
Police Officers	\$26.86	\$32.39
CITY CLERK POSITIONS		
Assistant City Clerks (Part-Time/Temp. <20)	\$23.41	\$31.61
Recording Secretary	\$21.82	\$23.85
Recording Secretary Coordinator	\$22.82	\$24.36
SHARED POSITION		
General Intern I	\$13.20	\$16.75
STIPEND POSITIONS		
Sport Coaches – Seasonally (Lacrosse, Track, Youth – Basketball, Field Hockey, Football, Cheerleader Coach etc. – may vary due to Programs)	\$205	\$715
(Chair) Supervisors of the Check List	\$155	\$255
Supervisor of the Voter Checklist	\$155	\$255

2. SCHEDULE PUBLIC HEARING:

MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, April 21, beginning at 7:00 pm, Remote via Webex, for the purpose of receiving public input and taking action to amend Ordinance No. 18, Salary Plan, Article II, Non-Affiliated Employees, Seasonal/Temporary & Stipend Employees to increase 2021 wages for Memorial Pool & Camp Recreation, Arts & Parks employees.