



**LEBANON CITY COUNCIL
MARCH 24, 2021 - 7:00 PM
ORGANIZATIONAL MEETING
REMOTE VIA MICROSOFT TEAMS
LEBANONNH.GOV/LIVE**

1. Call to Order

To participate in this meeting, please [join live via Microsoft Teams](#) or call 929-229-5356 (conference ID: 851 185 19#).
If you have trouble accessing this meeting, please [email Shaun Mulholland](#).

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. Retirement of Outgoing Councilors

- A. Resolution Honoring Suzanne Prentiss
- B. Resolution Honoring Bruce Bronner

6. Welcoming Newly Elected & Re-Elected Councilors

Douglas Whittlesey (Ward 1)
Devin Wilkie (Ward 2)
Clifton Below (Ward 3)
Karen Liot Hill (At-Large)

7. Nomination and Election of Temporary Chair

8. Nomination and Election of Mayor and Assistant Mayor

9. New Business

- A. Adoption of Council Rules
- B. Training: Welcoming Lebanon Policy

10. Mayoral Appointments of Councilors to Boards & Committees

11. 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](#).



RESOLUTION

HONORING SUZANNE PRENTISS

WHEREAS, Suzanne Prentiss served on the City Council from March 2009 to March 2021, serving as Assistant Mayor from 2014 to 2017, and as Mayor from 2017 to 2019;

WHEREAS, during her tenure on the City Council, Suzanne served as a Council representative to the Airport Advisory Committee, CATV Board of Directors, Public Facilities Committee, Public Safety Committee, Pedestrian & Bicyclist Advisory Committee, Recreation Commission, Planning Board, Advance Transit Board of Directors, Governance Committee and the Heritage Commission; and

WHEREAS, Suzanne has supported the City of Lebanon through her involvement and participation on the Boards and Committees listed above, and has been diligent in her commitment to ensuring that the City provides the best value of services to its residents and visitors; and

WHEREAS, Suzanne led the effort to spotlight and advance arts and cultural opportunities in the City through chairing the City Council's Arts & Culture Task Force, resulting in the establishment of a Commission to promote arts and cultural activities through the cultivation of public-private partnerships and the creation of policies to integrate the arts throughout the community; and

WHEREAS, Suzanne was an active participant in the effort to improve the vitality and safety of downtown West Lebanon through the pursuit of the clean-up and re-use of portions of the Westboro Rail Yard; and

WHEREAS, Suzanne has demonstrated a particular skill in her ability to work with people on both sides of an issue to develop consensus. This ability to lead in particularly divisive situations has been well demonstrated by her and has served this City well; and

WHEREAS, the Lebanon City Council appreciates the time, effort, knowledge, and commitment provided to the community by Suzanne Prentiss during her service on the Lebanon City Council.

NOW THEREFORE BE IT RESOLVED, that the Lebanon City Council, on behalf of the City of Lebanon, extends its sincere appreciation to Suzanne Prentiss for her dedicated service and for her contributions to the community.

Dated this 24th day of March 2021 at Lebanon, New Hampshire.

Timothy J. McNamara, Mayor
On Behalf of the Lebanon City Council



RESOLUTION

HONORING BRUCE BRONNER

WHEREAS, Bruce Bronner served on the City Council from March 2008 to March 2021; and

WHEREAS, during his tenure on the City Council, Bruce served as a Council Representative on the Heritage Commission, Westboro Yard Committee, Public Facilities Committee, Economic Vitality Exchange Committee, CATV Board of Directors, and the City Council's Task Force on Homelessness; and

WHEREAS, Bruce has supported the City of Lebanon through his involvement and participation on the Boards and Committees listed above, and has been diligent in his commitment to ensuring that the City provides the best value of services to its residents and visitors; and

WHEREAS, Bruce has provided a great amount of insight based on his personal contracting and real estate experience that has led to better informed decisions in the construction of improvements to City buildings and the sale of City-owned lands and buildings, and

WHEREAS, Bruce, through a common-sense approach and pragmatic lens has served the City very well in his review of the many municipal budgets passed during his tenure, always considering first what is best for Lebanon residents; and

WHEREAS, the Lebanon City Council appreciates the time, effort, knowledge, and commitment provided to the community by Bruce Bronner during his service on the Lebanon City Council.

NOW THEREFORE BE IT RESOLVED, that the Lebanon City Council, on behalf of the City of Lebanon, extends its sincere appreciation to Bruce Bronner for his dedicated service and for his contributions to the community.

Dated this 24th day of March 2021 at Lebanon, New Hampshire.

Timothy J. McNamara, Mayor
On Behalf of the Lebanon City Council

**AGENDA
LEBANON CITY COUNCIL
MARCH 24, 2021**

ORGANIZATIONAL MEETING:

9.A – ADOPTION OF CURRENT CITY COUNCIL RULES (LAST REVISED 1/20/2021)

Once a new Council is seated, the Council must formally adopt a set of Rules that outline procedures to be followed by the presiding Council.

The following motion is offered for consideration:

MOVED, that the Lebanon City Council adopts the Council Rules as presented in the March 24, 2021 agenda packet.

Once formally adopted, the City Council may amend the Rules. The process for this is outlined in §A191-13, which states, “These rules may be amended, or new rules adopted by a two-thirds vote of all members of the Council. Any such alterations or amendments shall be submitted in writing at the preceding regular meeting and shall be placed on the calendar under the order of new business.”

If any member of the Council wishes to propose an amendment to the rules, the earliest date for presentation would be the April 21 meeting (all agenda materials must be submitted no later than Friday, April 9). Formal adoption would then take place at the May 5 meeting.

Included in this section:

1. Council Rules (last revised 1/20/2021)

Chapter A191

COUNCIL RULES

§ A191-1.	Council meetings.	§ A191-13.	Rules: Adoption, Amendment, & Suspension.
§ A191-2.	Temporary Chair.	§ A191-14.	Appointment of Council Representatives to Other Bodies
§ A191-3.	City Clerk.	§ A191-15.	Council appointments to City Boards, Committees, Commissions.
§ A191-4.	Legal counsel.	§ A191-16.	Constituent - Council contacts.
§ A191-5.	Robert's Rules of Order.	§ A191-17.	Confidential materials.
§ A191-6.	Raise hand to be recognized.	§ A191-18.	Attendance at Seminars, Workshops, etc.
§ A191-7.	Agenda.		
§ A191-8.	Order of business.		
§ A191-9.	Budgetary summary.		
§ A191-10.	Motion to be stated by Presiding Officer; withdrawal.		
§ A191-11.	Communications.		
§ A191-12.	Permission required to address Council.		

[HISTORY: Adopted by the City Council of the City of Lebanon 9-18-1974. Amendments noted where applicable.]

GENERAL REFERENCES

Ordinances -- See Charter § C419:22.

Enactment of ordinances -- See Ch. 115.

§ A191-1. Council meetings.

- A. The Council shall meet in regular session on the first and third Wednesday of every month at 7:00 p.m. until the conclusion of business or 10:00 p.m., whichever comes first. The 10:00 p.m. adjournment shall only be extended by a two-thirds vote of the Council. [Amended 11-7-1979; 4-15-1992; 6-23-1993; 3-30-1994; 7-19-1995; 10-18-1995; 5-21-2003]
- B. Attendance. Prior to each meeting, unless prevented by emergency, a Councilor shall notify either the Mayor, City Manager or City Clerk if he or she will be unable to attend a meeting.
- C. Remote Attendance. As long as a quorum of the Council is present in person, one or more members of the City Council at the discretion of the Mayor may participate in a meeting by electronic or other means of communication only when attendance is not reasonably practical. This procedure shall not be construed to mean that conferencing by electronic means shall be regularly used or used at every meeting of the Council but shall be used only as necessary to allow the participation of Council members who are unable to attend in person due to such circumstances as personal illness or disability, employment obligations, or a family or other emergency.

- 1) Member must notify the City Manager's office at least 24 hours in advance of the meeting, unless impractical, so that necessary communications equipment can be arranged. Inability to make the necessary technical arrangements may result in the inability of the members remote attendance.
- 2) Each part of a meeting required to be open to the public shall be audible or otherwise discernable to the public at the location specified in the meeting notice as the location of the meeting. Each member participating electronically or otherwise must be able to simultaneously hear the other members physical present or participating electronically during the meeting and shall be audible or otherwise discernable to the public in attendance at the meeting's location.
- 3) If participation is not in person, the member must state the reason such attendance is not reasonably practical, and that information must be included in the minutes of the meeting.
- 4) Sufficient security and identification procedures be employed, either at the outset of any meeting or at any time during the meeting as appropriate, to ensure that any and all members attending for discussion or voting purposes are in fact an authorized member with the right to speak and vote.
- 5) The person not in attendance shall identify the persons present (if any) in the location from which the member is participating.
- 6) If a member of the Council is participating by electronic or other means of communication, all votes must be recorded by roll call vote.
- 7) Electronic or other means of communication can include, but due to changing technology, are not limited to Telephone/Speakerphone/Conference Calls and Computer audio/video conferencing.

D. Remote Participation. Members of the public are permitted to attend and participate in meetings remotely through a live link provided on the City's website or via phone through the number provided by the meeting organizer for all Council meetings that are open to the public. At the beginning of each meeting, participants will be informed of rules for speaking on agenda items and will be called on by the Mayor in an order as determined by the Mayor.

§ A191-2. Temporary Chair.

In case of the absence of the Mayor and Assistant Mayor, the Clerk shall call the Council to order. If a quorum is found to be present, the Council shall choose one of its members to act as Chair.

§ A191-3. City Clerk. [Amended 3-30-1994]

The City Clerk or his/her designee shall be ex-officio clerk of the Council and shall keep minutes of the meeting and perform such other and further duties in the meeting as may be ordered by the presiding officer of Council. Copies of the minutes of meetings shall be furnished to each Councilor with the agenda of the next meeting.

§ A191-4. Legal counsel. [Amended 4-18-1990]

Designated legal counsel shall attend any meetings of the Council when requested by the Mayor or City Manager. Any member of the Council, upon notification to the City Manager, may call upon Counsel for an oral or written opinion to decide any question of law or parliamentary procedure.

§ A191-5. Robert's Rules of Order. [Amended 2-6-1991; 7-19-1995; 4-21-2004]

Robert's Rules of Order (most recent Edition) shall be used in all Council deliberations except as modified herein.

§ A191-6. Raise hand to be recognized.

Councilors do not have to stand to move motion or second.

§ A191-7. Agenda. [Amended 5-7-1986; 7-19-1995; 6-3-1998; 4-18-2007; 4-15-2009]

As stated in §A191-1 above, the Council shall meet in regular session on the first and third Wednesdays of every month at 7:00pm. Agendas for Council meetings are the responsibility of the City Manager and the Mayor.

Submission Deadlines:

- The first Wednesday of the month will be the date in which the agenda is set for the meeting on the first Wednesday of the next month.
- The third Wednesday of the month will be the date in which the agenda is set for the meeting on the third Wednesday of the next month.

Any Councilor wishing to have an item placed on an agenda must submit said item (in its proper format by utilizing a City Council Agenda Request Form, provided by the City Manager's Office) to the City Manager's Office by Noon on the Tuesday preceding the Wednesday on which the agenda is to be set.

Items of an urgent nature which require special attention or are in need of immediate action by the Council may be placed on any agenda at the discretion of the Mayor and/or City Manager.

§ A191- 8. Order of business. [Amended 6-21-1978; 4-7-1982; 5-7-1986; 4-6-1988; 3-27-1991; 6-23-1993; 7-19-1995; 5-15-1996; 4-16-1997; 6-7-2006; 9-3-2008; 4-1-2009]

The business of all regular meetings of the Council shall be transacted in the following order unless the Council, by a vote of at least 2/3 of the members present, suspends the rules and changes the order.

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 to public. (Limited to 10 Minutes)
 5. Recognitions.
 6. Acceptance of Minutes:
 7. Appointments.
 8. 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. Old Business.
 10. New Business.
 11. City Manager Report
 12. Council Representatives to Other Bodies Report
 13. Future agenda items
 14. Nonpublic sessions.
 15. Adjourn.

§ A191-9. Budgetary summary. [Amended 3-00-1985]

On a quarterly basis, and within the months of October and November, the City Manager shall submit a budgetary summary to the City Council. Discussion of the summary shall be placed on the agenda of the next Council meeting following submissions.

§ A191-10. Motion to be stated by Presiding Officer; withdrawal. [Amended 7-19-1995]

- A. When a motion is made and seconded it shall be repeated upon request by the presiding officer before debate. At his/her discretion the presiding officer may request motions to be put in writing. A motion may not be withdrawn by the mover without the consent of the member seconding it and the approval of the Council.
- B. The presiding officer may at any time, by a majority vote of the members present, permit a member to introduce an ordinance, resolution or motion out of the regular order.

§ A191-11. Communications. [Amended 12-9-1992; 7-19-1995; 6-16-2004]

- A. Unattributed communications shall not be introduced in Council meetings. Information advocating a certain position obtained from constituent contact may be introduced at Council meetings if the name of the source is given. Electronic and written communications from any Councilor to four or more members shall constitute public comment and shall be transmitted to the City Manager's office for public record.
- B. With the exception of the Mayor's use of City letterhead, stationery, or official City insignia for resolutions or proclamations, members of the City Council may only

use such for purposes officially approved by the Council.

§ A191-12. Permission required to address Council. [Amended 4-7-1982]

Persons other than members of the Council and City officers shall be permitted to address the Council. A time limit of three minutes shall be in effect. The speaker shall not enter into a debate with any person, Mayor or Council member and shall speak only on a subject on that particular agenda item.

§ A191-13. Rules: Adoption, Amendment, & Suspension. [Amended 7-19-1995]

- A. Each newly seated Council by motion shall formally adopt the Council Rules and Regulations currently in place.
- B. These rules may be amended or new rules adopted by a 2/3 vote of all members of the Council. Any such alterations or amendments shall be submitted in writing at the preceding regular meeting and shall be placed on the calendar under the order of new business.
- C. These rules may be suspended by a 2/3 vote of those members present and voting. The purpose for suspension must be clearly stated before the vote is taken, and 2/3 of the members present and voting must declare the matter one of such priority that it would be detrimental to hold it over until the next regular meeting.

§ A191-14. Appointment of Council Representatives to Other Bodies.

The Mayor shall designate and appoint representatives from the City Council to other bodies, including City boards, committees, and commissions, as the need arises.

§ A191-15. Council Appointments to City Boards, Committees, Commissions.

- A. When vacancies occur on City boards, committees, commissions, either by resignation, removal or lapse of term, applications received by the City Clerk will be forwarded to the City Council in a timely manner in order for vacancies to be filled as quickly as possible. [Amended 4-2-2008]
- B. All appointments shall be acted upon by the City Council as authorized by the City Code, the City Charter and New Hampshire Law. [Amended 8-2-1995; 5-21-2003; 4-2-2008]
- C. The following procedure shall be followed for board, commission and committee appointments and reappointments: [Added 9-18-1996; Amended 4-2-2008]
 - 1) For initial appointment, the applicant shall fill out the standard application form. [Amended 5-21-2003; Amended 4-2-2008]
 - 2) For reappointment, the applicant can update the current form on file or complete a new updated application form. [Amended 4-2-2008]
 - 3) One member of the City Council shall interview the applicant within 30 days of

receiving the application from the City Clerk and report to the full Council prior to any nomination for appointment or reappointment. [Amended 4-2-2008]

- 4) While one city councilor is officially assigned to interview each applicant, any city councilor may interview any applicant for any position to better inform their decision.

§ A191-16. Constituent-Council contacts. [Added 5-13-1992]

Council members shall use the process outlined on the attached flow chart for constituent contacts.

§ A191-17. Confidential materials.

A. Classification.

- 1) In the event that materials need to be classified as confidential, a standard will be applied by the City administration to determine if a compelling purpose exists to require that the materials be confidential and that public disclosure of the materials would serve to undermine the interest of the City. The City administration's determination of confidentiality shall be made in accordance with RSA 91-A. [Amended 5-21-2003]
- 2) Some examples where materials would be classified as confidential would include positions in labor negotiations, personnel matters involving a right of privacy and settlement discussions of pending litigation.
- 3) In order to ensure that the government of the City of Lebanon conducts its affairs in public and not in private, and that the citizens' deliberation on public affairs in Lebanon be as fully informed as practically possible, hereby be it resolved, that the City promptly release to the public all legal opinions received hereafter by the City, including, but not limited to, memoranda from any legal counsel to the City, and opinions received by the City in private consultation with legal counsel (as allowed under RSA 91-A:2, Meetings Open to Public, I(c), Consultation with legal counsel), except that the following shall only be released at the discretion of the City Manager and City Council: [Added 5-15-2002]
 - (a) Opinions pertaining to the dismissal, promotion or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against the employee; [amended 4-01-2009]
 - (b) Opinions pertaining to the hiring of any person as a public employee;
 - (c) Opinions which, if released to the public, would likely affect adversely the reputation of any person other than a City Councilor; [amended 4-01-2009]
 - (d) Opinions pertaining to the consideration of the acquisition, sale or lease of real or personal property which, if released to the public, would likely benefit a party or parties whose interests are adverse to those of the City;
 - (e) Opinions pertaining to the consideration or negotiation of claims or litigation which has been threatened in writing or filed against the City;
 - (f) Opinions pertaining to matters before quasi-judicial boards of the City;
 - (g) Opinions which, in the judgment of the City Manager and City Council,

could potentially cause harm to the City if released.

- B. Treatment of classified materials. When materials are classified as confidential, they will be identified and marked as "Confidential" and transmitted to the City Council in sealed envelopes marked as "Confidential." The reason for the confidential classification will be noted on the materials.
- C. In the event that a significant portion of a document may be made available to the public without compromising the portions of a document which are necessary to be maintained as confidential in accordance with Subsection A of this policy, then such portion(s) shall be made available to the public with only the confidential portion(s) classified. [Amended 6-19-1996; 5-21-2003]

§ A191-18. Attendance at Seminars, Workshops, etc.

Any Councilor who wishes to attend (at the expense of the City) a seminar, workshop, or other function designed to improve their ability to serve on the City Council (or their respective board, committee, or commission) must first confirm with the City Manager that funds are available for use. If funding is in place, the following options are available:

- (1) Register for the event through the City Manager's Office and request payment in advance of attendance; or
- (2) Self-register for the event and request reimbursement after attending.

If option (2) is exercised, reimbursement is only guaranteed if confirmation of funding was requested in advance of attending and proper documentation, according to the City's Purchasing Policy, is submitted with the reimbursement request.

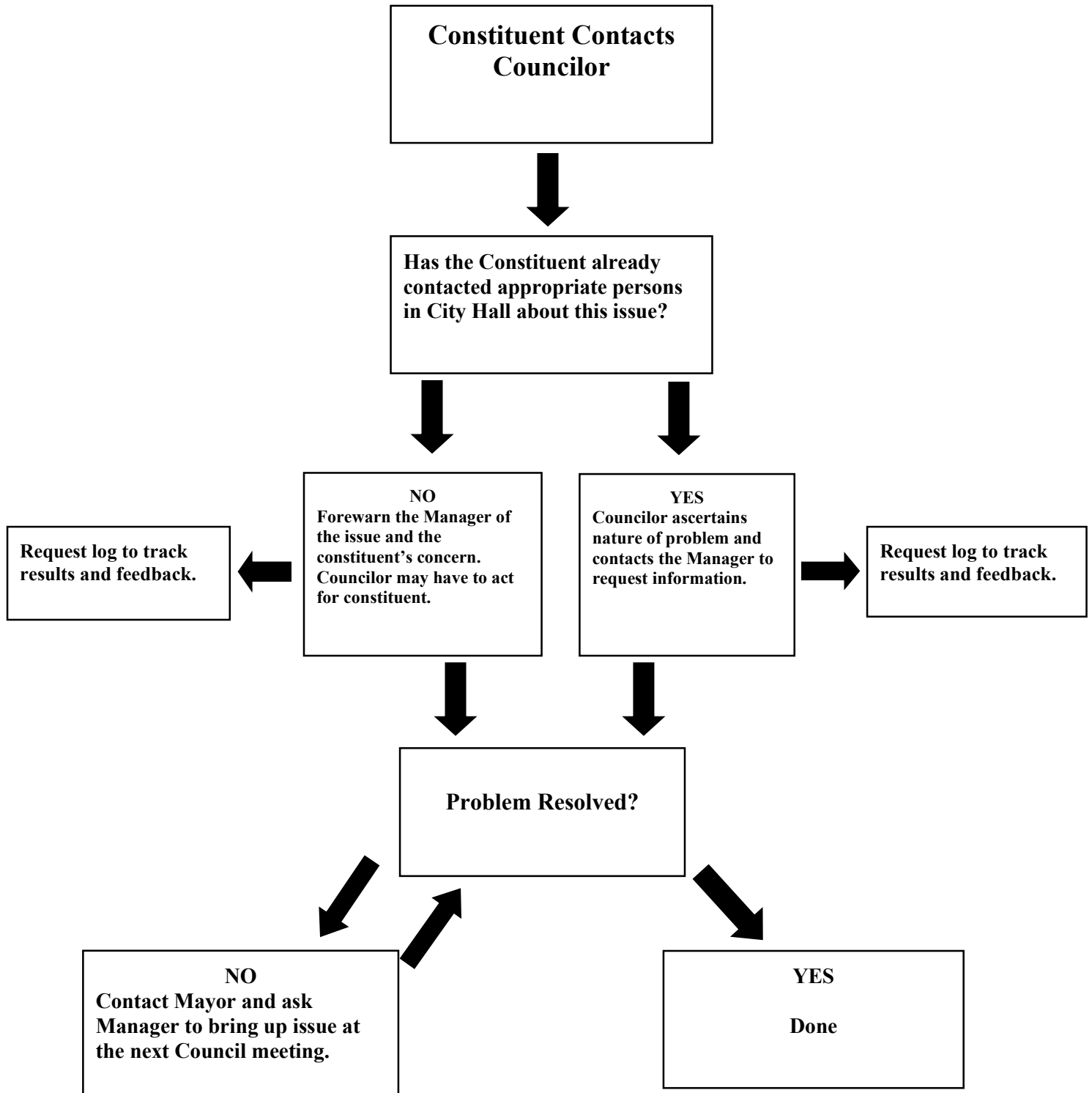
§ A191-19. Email and Computer Use

All City Councilors will be provided with City issued email addresses and computer devices to assist them in their capacity as elected officials. Use of City email addresses and/or computer devices is not mandatory. Councilors who elect to utilize City email addresses and/or computer devices must comply with and sign an acknowledgement form for compliance with any City computer use and cyber security policies.

FLOW CHART FOR CONSTITUENT-COUNCILOR CONTACTS

Council Rules, Section A191:16

[Amended 4-20-2011; 5-16-2012]



**AGENDA
LEBANON CITY COUNCIL
MARCH 24, 2021**

ORGANIZATIONAL MEETING:

9.B – CITY COUNCIL POLICY CC-104: WELCOMING LEBANON TRAINING

The City Council at their regularly scheduled January 20, 2021 City Council meeting adopted City Council Policy CC-104: Welcoming Lebanon. City Manager Mulholland will provide the required training for this policy.

ACTION

No action is required by the Council. Item is for training purposes only.

Included in this section:

1. Welcoming Lebanon Policy



City of Lebanon
New Hampshire

CITY COUNCIL POLICY IMPLEMENTATION OF CITY CODE CHAPTER 185 WELCOMING LEBANON

<i>Policy Number</i>	<i>Effective Date</i>	<i>Last Revision</i>	<i>Page No.</i>
CC-104	1/20/2021		Page 1 of 5
<i>Approved by:</i>	Mayor DocuSigned by: <i>Timothy J. McNamara</i> F08A405F81504ED...		

Section 1.0: PURPOSE

This policy details the procedures to implement the provisions of City Code Chapter 185, "Welcoming Lebanon" (herein after referred to as Chapter 185) regarding elected and appointed officials

Section 2.0: SCOPE

This policy applies to all City officials elected by the voters or appointed by the City Council defined as "Agents" of the City as defined in Chapter 185 not under the authority of the City Manager.

Section 3.0: DEFINITIONS

The applicable definitions regarding this policy are as provided in Chapter 185, Section 185-2, Definitions. These terms are not defined in Chapter 185 nor are they defined in Federal or State law. The definitions below are provided as further guidance in the implementation of the policy.

3.1 POLITICAL OPINION OR ACTIVITY

Definition of Political

- 1a: of or relating to government, a government, or the conduct of government
- b: of, relating to, or concerned with the making as distinguished from the administration of governmental policy
- 2: of, relating to, involving, or involved in politics and especially party politics
- 3: organized in governmental terms *political* units
- 4: involving or charged or concerned with acts against a government or a political system *political* prisoners

Definition of Opinion

Opinion- a view, judgment, or appraisal formed in the mind about a particular matter.



City of Lebanon
New Hampshire

CITY COUNCIL POLICY IMPLEMENTATION OF CITY CODE CHAPTER 185 WELCOMING LEBANON

<i>Policy Number</i>	<i>Effective Date</i>	<i>Last Revision</i>	<i>Page No.</i>
CC-104	1/20/2021		Page 2 of 5
<i>Approved by:</i>	Mayor		

Definition of Activity

Activity- action designed to attain a purpose by the use of political power or by activity in political channels

3.2 ECONOMIC STATUS

Economic- of, relating to, or based on the production, distribution, and consumption of goods and services

Status- position or rank in relation to others; relative rank in a hierarchy of prestige; the condition of a person or thing in the eyes of the law; state or condition with respect to circumstances

3.3 HOUSING STATUS

Housing- shelter, lodging; dwellings provided to people

Status- position or rank in relation to others; relative rank in a hierarchy of prestige; the condition of a person or thing in the eyes of the law; state or condition with respect to circumstances

Section 4.0: POLICY DETAIL

This policy details the procedures to implement the provisions of Chapter 185, as amended by the City Council. The intent of this policy is to comply with those provisions to the extent they do not violate State law or Federal Code/rules or regulations.

Section 5.0: PROCEDURES

5.1 Training

Training opportunities will be provided to appointed and elected officials as follows:



City of Lebanon
New Hampshire

CITY COUNCIL POLICY IMPLEMENTATION OF CITY CODE CHAPTER 185 WELCOMING LEBANON

<i>Policy Number</i>	<i>Effective Date</i>	<i>Last Revision</i>	<i>Page No.</i>
CC-104	1/20/2021		Page 3 of 5
<i>Approved by:</i>	Mayor		

A. Newly Appointed or Elected Officials

Newly appointed or elected officials shall be provided with a link to the City's webpage with access to Chapter 185. An acknowledgement form will be provided and must be signed by the appointed or elected official attesting to the fact that they have read and understand the provisions of the Chapter. Training will be provided within 30 days of the official's date of appointment or election.

B. In-Service Training

All existing appointed or elected officials as of the effective date of this Policy will be provided with access to Chapter 185 and must sign an acknowledgement form attesting to the fact that they have read and understand the provisions of the Chapter. Initial training is mandatory and will be provided by the City Manager's Office. The respective chairperson of any board/commission/committee may conduct or request refresher training as they deem necessary, or as directed by the City Council.

5.2 Complaints and Investigations

Complaints and investigations regarding reported or discovered violations of the provisions of Chapter 185 shall be conducted in accordance with Policy ADM-126, Complaints & Investigations.

5.3 Corrective and Disciplinary Action-Appointed and Elected Officials

Appointed and elected officials may be removed from office for violations of Chapter 185 if the actions of those officials warrant such action. There are specific statutory provisions for different categories of officials as indicated below:

1. Members of land use boards may be removed for cause in accordance with the provisions of RSA 673:13.



City of Lebanon
New Hampshire

CITY COUNCIL POLICY IMPLEMENTATION OF CITY CODE CHAPTER 185 WELCOMING LEBANON

<i>Policy Number</i>	<i>Effective Date</i>	<i>Last Revision</i>	<i>Page No.</i>
CC-104	1/20/2021		Page 4 of 5
<i>Approved by:</i>	Mayor		

2. All other appointed officials not specified in 1 above may be removed for cause by the City Council if appointed by the Council in accordance with the N.H. Supreme Court decision in AFSCME v. Keene, 108 N.H. 68 (1967).
3. Members of the City Council may be removed for cause in accordance with the provisions of RSA 49-C:13.
4. Appointed officials who are appointed by the City Manager may be removed for cause in accordance with the N.H. Supreme Court decision in AFSCME v. Keene, 108 N.H. 68 (1967).
5. The City Council may discipline or remove the City Manager in accordance with the provisions of City Charter C419:31.
6. Elected officials other than members of the City Council may be removed in accordance with the provisions and processes outlined in RSA 42:1-a. The initiation of the process for removing elected officials other than members of the City Council shall only be moved forward after a majority of the City Council votes to direct the City Manager to do so.

Each Board/Commission/Committee may act to censure members of their body for violations of this code. The City Council may also choose to censure members of its own body or the members of any body for which they appoint those members.

Section 6.0: REFERENCES (Charter/Code/ City Policy/State Statutes or Regulations/ Federal Code or Regulations)

1. City Code Chapter 185
2. City Policy ADM-126 Complaints & Investigations
3. City Policy ADM-111 Anonymous Hotline Policy
4. City Charter 419:30 Powers and Duties of the Manager
5. City Charter 419:31 Power to Appoint and Remove
6. City Charter 419:28 Removal-City Manager
7. NH RSA Chapter 354-B Civil Rights Act
8. NH RSA Chapter 275-E Whistleblowers' Protection Act
9. NH RSA 42:1-a Manner of Dismissal-Officials
10. NH RSA 49-C:13 Removal of Mayor, Alderman and Councilors



City of Lebanon
New Hampshire

CITY COUNCIL POLICY IMPLEMENTATION OF CITY CODE CHAPTER 185 WELCOMING LEBANON

<i>Policy Number</i>	<i>Effective Date</i>	<i>Last Revision</i>	<i>Page No.</i>
CC-104	1/20/2021		Page 5 of 5
<i>Approved by:</i>	Mayor		

- 11. NH RSA 202-A:17 Employees; Removal-Library
- 12. NH 673:13 Removal of Members-Land Use Boards
- 13. NH RSA 202-A:17 Employees; Removal-Library
- 14. US, Title VII of the Civil Rights Act of 1964-Employment
- 15. US, Title 18, U.S.C., Sections 241, 242, 245,
- 16. US, Title 42, U.S.C., Section 3631

Section 7.0: POLICY & PROCEDURE REVISION HISTORY

	Section	Revisions	Date
Original Adoption		Initially adopted	1/20/2021
Amendment			
Amendment			
Amendment			