



**LEBANON CITY COUNCIL
NOVEMBER 5, 2025 - 6:00 PM
COUNCIL CHAMBERS, CITY HALL OR
REMOTE VIA VIRTUAL PLATFORM
LEBANONNH.GOV/LIVE**

To participate in this meeting, please [join live via Microsoft Teams](#) or call 929-229-5356 (access code: 414 572 4#). If you have trouble accessing this meeting, please [email David Brooks](#).

1. Call to Order

The November 5, 2025 Lebanon City Council Meeting is hereby called to order.

2. Pledge of Allegiance

3. Boards and Committee Reports (3rd Quarter 2025)

4. 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.**

5. Open Council Discussion

6. Open to the Public

7. Recognitions

A. Recognition Honoring Kristine Flythe

8. Approval of Minutes

A. MOTION TO approve the minutes as presented in the November 5, 2025 agenda packet.

9. Appointments

A. Board, Committee or Commission Appointments

- Conservation Commission, Bruce James (Reappointment Regular Member)
- Conservation Commission, Christopher Johnson (Reappointment Regular Member)
- Diversity, Equity, and Inclusion Commission, Bise Wood Saint Eugene (Reappointment Public Representative)
- Downtown Lebanon TIF Advisory Board, Barry Schuster (Reappointment Property Owner/Occupant)
- Downtown Lebanon TIF Advisory Board, Victoria Smith (Reappointment Property Owner/Occupant)
- Heritage Commission, Nicole Dittrich (Alternate Member)
- Lebanon Energy Advisory Committee, James Mashal (Reappointment Citizen Representative)

- Tree Advisory Board, Andrew Garthwaite (Reappointment Citizen Member)
- Tree Advisory Board, Susan Johnson (Reappointment Citizen Member)
- West Lebanon Revitalization Advisory Committee, Barbara Krinitz (Resident Member)
- West Lebanon Revitalization Advisory Committee, Spenser Molloy (Business Owner Member)
- Zoning Board of Adjustment, Paul McDonough (Reappointment Regular Member)

10. Public Hearing Items

A. Ordinance #2025-12

A public hearing for the purpose of receiving public input and taking action to amend or repeal City Code Chapter 185, Welcoming Lebanon, to ensure compliance with applicable laws that will take effect on January 1, 2026

- i. Presentation:
- ii. Opening of the Public Hearing:
- iii. Questions & Comments by the Public:
- iv. Closing of the Public Hearing:
- v. Council Deliberation & Action:

11. Old Business: None

12. New Business

A. Presentation and Discussion Regarding the 2025 Property Revaluation

B. Ordinance #2025-13

Discussion and Set Public Hearing for November 19, 2025: Ordinance 2025-13, Amendments to City Code Chapter 179

13. City Manager Report

14. Non-Public Session: None

15. Adjournment

Meetings are open for in-person and remote attendance. Members of the public who wish to attend remotely may do so by going to [LebanonNH.gov/Live](https://lebanonnh.gov/Live) where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the City's virtual platform or by phone. Please note: Should technical difficulties occur during the meeting that disrupt virtual or phone connection(s), the meeting will continue without remote access capabilities.

Any person with a disability who wishes to attend this public meeting and needs additional accommodation, please contact the ADA coordinator at City Hall by calling 603-448-4220 at least 72 hours in advance so that the City can make any necessary arrangements.

Future Board/Committee/Commission Appointments:

Board/Committee: Arts and Culture Commission

Position: Arts Organization Representative

Applicant: J. Chambers

City Councilor: N. Ford Burley

Assigned Date: 09/22/2025

Board/Committee: Arts and Culture Commission

Position: Regular

Applicant: G. Dokucu

Lebanon City Council Agenda
November 5, 2025

City Councilor: D. Wilkie
Assigned Date: 10/01/2025

Board/Committee: Arts and Culture Commission
Position: Regular
Applicant: L. Ridilla
City Councilor: Not yet assigned
Assigned Date: Not available

Board/Committee: West Lebanon Revitalization Advisory Committee
Position: Regular
Applicant: B. Underwood
City Councilor: Not yet assigned
Assigned Date: Not available

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

November 6, 2025 – Budget Work Session (5:30pm start)
November 12, 2025 – Budget Work Session (5:30pm start)
November 13, 2025 – Budget Work Session (5:30pm start)
November 18, 2025 – Budget Work Session (5:30pm start)

November 19, 2025

Public Hearing:

A. Ordinance #2025-13 - A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 179, Vendors

New Business:

A. Presentation of 2025 Financial Audit Report

B. Presentation of First Reading & Set Public Hearing for December 17, 2025: Amendments to Ordinance #18, Salary Plan, to include implementation of a 3.0% General Wage Increase, and to retitle, reclassify, and add positions to the existing salary plan.

C. Authorization for City Manager to Execute Extension of Existing Lease Agreement with Green Mountain Power Corporation for Glen Road Hydroelectric Facility

D. Discussion of Potential for Social Districts per NH RSA 178:33

December 3, 2025

Old Business:

A. Presentation of Second Reading: Amendments to Ordinance #18, Salary Plan, to include implementation of a 3.0% General Wage Increase, and to retitle, reclassify, and add positions to the existing salary plan.

New Business:

A. Request from Lebanon Opera House for an Exemption (per §14-5) of City Code Chapter 14, Alcoholic Beverages, to permit the serving of alcoholic beverages on City property in 2025

B. Request from Lebanon Outing Club for an Exemption (per §14-5) of City Code Chapter 14, Alcoholic Beverages, to permit the serving of alcoholic beverages on City property in 2025

C. Public Input on Proposed 2026 Municipal Budget



RESOLUTION HONORING KRISTINE FLYTHE

WHEREAS, Kristine Flythe has made Lebanon her home away from home, has devoted herself to elevating the quality of life for Lebanon and West Lebanon's residents and visitors, and has served the City of Lebanon full-time for fifteen years, six months, and 3 weeks; and

WHEREAS, Kristine gave selflessly to the mission of Lebanon Recreation Arts & Parks every one of those days. She began her service to the City in 2006 as a Camp K Counselor, was promoted to Camp Director in 2008, and then to the full-time Recreation Coordinator position in April of 2010; and

WHEREAS, during her time as Recreation Coordinator, Kristine was awarded several certifications and awards, including Certified Parks and Recreation Professional, American Camp Association Accreditation, New Hampshire Recreation and Parks Association's (NHRPA) Communication Savvy Award, Kim Perkins Special Event Award, and the prestigious Don Heyliger Young Professional Award. True to her character, Kristine championed her colleagues by nominating them for awards of their own, including the High Five Award for Lebanon Youth-In-Action, and the Upper Valley Business Alliance Young Professional of the Year Award for Meagan Henry; and

WHEREAS, Kristine nurtured relationships with many civic partners, going above and beyond in serving the NHRPA, LISTEN Christmas Dinner, Upper Valley Business Alliance's LebFest, Upper Valley Senior Center, Lebanon Outing Club, Upper Valley Running Club, SAU88, the Arts and Culture Committee, and the American Camping Association; and

WHEREAS, Kristine has had an indelible positive impact on the lives of thousands, particularly Lebanon's youth and seniors, programming over 140 programs and special events per year and reaching over 300,000 participants during her career; and

WHEREAS, Kristine has been an avid team player, eager to help others, unique in her level of thoughtfulness and devotion to the common good, and an all-around pleasure to work with;

NOW, THEREFORE, BE IT RESOLVED, that we, the members of the Lebanon City Council, on behalf of the citizenry of Lebanon, Kristine's friends, and her fellow employees, express our admiration of and respect for the career of our outstanding and faithful employee, and extend to her our sincere gratitude and wish her well in her future endeavors,

BE IT FURTHER RESOLVED, that this Resolution be written upon the minutes of the Lebanon City Council meeting and a copy be presented to Kristine Flythe.

Dated this 5th day of November 2025, in Lebanon, New Hampshire.

Douglas Whittlesey, Mayor
On behalf of the Lebanon City Council

**Agenda
Lebanon City Council
November 5, 2025**

8. Acceptance Of Minutes:

Minutes To Be Accepted

- October 15, 2025

MOVED, to approve the minutes as presented in the November 5, 2025 agenda packet.

DRAFT

**LEBANON CITY COUNCIL
REGULAR SESSION MINUTES
Wednesday, October 15, 2025, 7:00 p.m.
Council Chambers**

Remote Via Microsoft Teams: LebanonNH.gov/Live

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

MEMBERS ABSENT:

STAFF PRESENT: City Manager Andrew Hosmer, Deputy City Manager David Brooks, Public Works Director Jay Cairelli, Deputy Director Planning and Development Tim Corwin, Public Works Assistant Director Christopher Kilmer, Director of Planning and Development Nathan Reichert, Airport Director Carl Gross, Planning Administrative Assistant Crystal Taplin, City Engineer Brian Vincent, Finance Director Alesia Williams, Deputy Finance Director Victoria Paquin

1. CALL TO ORDER: Mayor Whittlesey called the meeting to order at 7:03 p.m.

- City Manager Andrew Hosmer announced the meeting criteria for attendees.

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

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

4. OPEN COUNCIL DISCUSSION:

Assistant Mayor Wilkie spoke about his reasons why he would ask the Council to consider having listening sessions within their respective districts, or in a way that would allow us to get outside of Council Chambers to connect with other residents (i.e., West Lebanon; the Mt. Support Road area, etc.) to allow those who are unable to attend Council meetings an opportunity to express their opinions on the budget. He felt it would be good for the Council to bring discussions of the budget to other parts of the City. Mayor Whittlesey supported this idea and will get something on the books.

Assistant Mayor Wilkie will reach out to other Councilors to see if they can potentially coordinate things in other parts of the City.

5. OPEN TO PUBLIC: NO ONE CAME FORTH

6. RECOGNITIONS: NONE

7. ACCEPTANCE OF MINUTES:

- October 1, 2025 (Special Meeting)

Assistant Mayor Wilkie MOVED to approve the October 1, 2025 (Special Meeting) minutes as written and presented in the October 15, 2025 City Council agenda packet.

Seconded by Councilor N. Ford Burley

1
2 **The Vote on the MOTION was approved (7-0-2). Councilors McNamara and Mayor Whittlesey*
3 *abstained because they were not present at this meeting.*

4
5 • October 1, 2025 (Regular Meeting)
6 Amendments: Page 12, Line 16-17: For clarification change to read: Raising the landing fees to
7 \$57K/year would be a net to the City.

8
9 Page 24, line 26: Change to read: The City Manager could look into bringing back the sale of punch
10 tickets and trash bags to the City Offices.

11
12 *Councilor Simon MOVED to approve the October 1, 2025 (Regular Meeting) minutes as amended and*
13 *presented in the October 15, 2025 City Council agenda packet.*
14 *Seconded by Councilor McNamara.*

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

16
17 **8. APPOINTMENTS:**

- 18 • Diversity, Equity, and Inclusion Commission, Tia Winter (Reappointment as a Public
19 Representative)

20
21 *Assistant Mayor Wilkie MOVED to Nominate Tia Winter for reappointment as a Public Representative to*
22 *the Diversity, Equity, and Inclusion Commission. Term: 10/2025 – 10/2027*

23 **The NOMINATION was approved (9-0).*

- 24
25 • Pedestrian and Bicyclist Advisory Committee, Marie McCormick (Reappointment as a
26 Citizen member)

27 *Mayor Whittlesey MOVED to Nominate Marie McCormick for Reappointment as a Citizen member*
28 *to the Pedestrian and Bicyclist Advisory Committee. Term: 10/2025 – 10/2028*

29 **The NOMINATION was approved (9-0)*

30
31 **9. PUBLIC HEARING ITEMS:**

- 32 **A. Ordinance #2025-09** - A continued public hearing for the purpose of receiving public
33 input and taking action to amend City Code Chapter 8, Airport Operations, Section 8.4,
34 Airport Rules and Regulations, to amend Airport Landing Fees

35
36 Included in the agenda packet: [\(All supportive documents and detailed information \(as listed below\) can](#)
37 [be found on pages 38-41, Council agenda packet\)](#)

- 38 1. Ordinance #2025-09
39 2. Airport Landings by Weight Class through July 2025, and 5-year Average

40
41 Mayor Whittlesey noted this is a continuation from the last meeting because the Council was making
42 changes to the landing fees being recommended and wanted to give everyone a chance to weigh in on the
43 revised fees. He felt those fee changes were now reflected in tonight's agenda packet. No presentation
44 was given at this meeting since it was given at the October 1, 2025 Council meeting.

45
46 **BACKGROUND**

47 Landing fees at the Lebanon Municipal Airport were last adjusted in November 2024 with an effective date
48 of January 1, 2025. The Airport Manager prepared a comparison of the existing landing fees and the

1 proposed landing fees adjusted by the CPI-U Northeast of 3.6%. The proposed adjustments to the existing
2 landing fees were shown in Ordinance #2025-09.

3 On October 1st, the City Council opened the public hearing with a discussion about raising the landing fees
4 more than 3.6% as proposed. The higher fees discussed by the Council have been incorporated into
5 Ordinance #2025-09. As a result of the Council's discussion, the public hearing was continued to October
6 15th, and the hearing was re-noticed in the *Valley News* to give the public an additional opportunity to
7 comment on the proposed higher fees.

8
9 As proposed, the new landing fees would be effective as of January 1, 2026.

10
11 **Mayor Whittlesey opened the Public Hearing. Hearing no comments from the public, the Public**
12 **Hearing was closed.**

13
14 **Council/Staff Comments:**

15 Councilor McNamara reiterated that most of the changes he made were related to the larger aircraft and
16 explained his reasons by noting that a lot of these folks are going to land here, almost regardless of the
17 landing fee, because the alternatives are fairly far away and would involve renting a car. When you own a
18 private jet, inconvenience is not something you particularly want.

19
20 Councilor Simon noted that while increasing hanger fees is not on the agenda, he wanted to get a clear
21 answer on where these stand. At the last meeting, his understanding was that the City Manager would
22 instruct the Airport Director to seek out raising the fees on the folks that do not have an active contract by
23 \$100.00/month. Mayor Whittlesey also believed those fees would be built into the Ordinances.

24
25 Deputy City Manager Brooks noted that his understanding is that every individual lease is its own
26 document. There are different rates, different terms and it would be fairly complicated to attempt to put
27 each of those, however many, fees and agreements into the code.

28
29 In response to Mayor Whittlesey's question, Airport Director Carl Gross noted that currently there are
30 four (4) different sized T-hangers and inside those T-hangers the majority have a little over 1,000 square
31 feet. There are a couple that are 1,400 square feet. The difference is based on the way a T-hanger is put
32 together. In going through these, he noticed there are different rates per square foot. He is working on a
33 spreadsheet for the City Manager to show Councilor Simon's \$100/month increase per hanger and also
34 calculating it based on bringing all of the leases at the same rate per square foot value. He will be coming
35 back to the Council with an equalization approach that will have some consistency for the Council to look
36 at. Director Gross also noted there is one lease that expires in 2028, and it deals with a decreasing dollar
37 amount for that particular hanger because the individual insulated the hanger and put a heat pump in it.

38
39 **ACTION:**

40 ***Councilor McNamara MOVED, that the Lebanon City Council hereby adopts Ordinance #2025-09, to***
41 ***amend Lebanon City Code Chapter 8, Airport Operations, Section 8.4, Airport Rules and Regulations,***
42 ***to amend Airport Landing Fees, as presented in the October 15, 2025 City Council Agenda Packet.***
43 ***Seconded by Councilor Simon.***

44
45 ****The Vote on the Motion was approved (9-0)***
46

47 **B. Ordinance #2025-10 - A public hearing for the purpose of receiving public input and**

1 taking action to amend City Code Chapter 68, Fees, Article III, Miscellaneous Fees, §68-
2 15, Enumeration of Fees, to Authorize Changes to Certain Public Utilities Fees
3

4 Included in the agenda packet: (All supportive documents and detailed information (as listed below) can
5 be found on pages 42-50, Council agenda packet)

- 6 1. Ordinance #2025-10
- 7 2. Memo from DPW, dated September 10, 2025, regarding Amendment to §68-15.B(2) –
8 Fire Sprinkler Fee Schedule
- 9 3. Memo from Public Works-Utilities Division, dated September 10, 2025, requesting
10 approval to Amend §68-15.B(5) – Water Meter Cost Schedule
11

12 Deputy City Manager Brooks reviewed the background noting this was discussed by the Council when
13 they set the Public Hearing on October 1, 2025.
14

15 **BACKGROUND**

16 The City Administration is proposing Ordinance #2025-10 to recommend changes to certain public utilities
17 fees outlined in City Code Chapter 68, Fees, Article III, Miscellaneous Fees, §68- 15, Enumeration of Fees,
18 including the following:

- 19 • An 8.0% increase to the Water Service Rates set forth in §68-15.B(1).
- 20 • A 3.0% increase to the Sewer Service Rates set forth in §68-15.B(7).

21 The proposed increases to the Water and Sewer Service Rates are recommended in order to provide current
22 and future resources to absorb projected operations and maintenance costs and debt service expenses in
23 both enterprise funds. As proposed, the new Water and Sewer Service Rates would be effective as of January
24 1, 2026.
25

26 On May 21, 2025, the City Council reviewed and accepted a new methodology for calculating the sewer
27 rental rate that is charged to the Town of Enfield as set forth in City Code Chapter 68-15.B(10). The new
28 rate calculation better reflects the City's costs for the portions of the overall sewer system that are actually
29 utilized by the Town of Enfield. The Department of Public Works has used the new methodology and is
30 proposing a new rate for the Town of Enfield, to be effective as of January 1, 2026.
31

32 In addition, the Department of Public Works is proposing to amend the fee structure for Fire Sprinkler
33 systems as set forth in §68-15.B(2). Currently, the fees for Fire Sprinkler systems are based on the internal
34 pipe size from the outlet side to the riser valve for multi-family, commercial, industrial, and institutional
35 accounts. However, DPW notes that modern sprinkler systems are increasingly complex and may include
36 multiple risers or updated riser sizes as buildings are renovated or expanded. To avoid billing
37 inconsistencies, DPW recommends that Fire Sprinkler fees should be based on the size of the sprinkler
38 backflow device, instead of the number or size of risers.
39

40 Finally, the Department of Public Works is proposing to amend the Water Meter Cost Schedule as set forth
41 in §68-15.B(5). The City has transitioned to a new vendor for water meters, and the costs regularly fluctuate
42 based on market conditions. As a result, the current static prices listed in the City Code do not reflect the
43 City's actual cost to purchase and install the meters. To ensure fairness and financial sustainability, DPW
44 recommends that the fee schedule be revised to allow the City to charge customers for the actual costs of
45 the water meters at the time of purchase and installation.
46

47 **Mayor Whittlesey opened the Public Hearing, and the following came forth:**

- 48 • **Ms. Sarah Riley (Ward-2):** She questioned the reason(s) behind the changes to the water
49 service rates, in particular the fixed rates per quarter for the different gauges of water service

(§68-15.B, items 1-9). DPW Director Cairelli noted that the fixed fees are based on size and are a fixed percentage because there should be no variance on anything. The fixed fees are going up by the same amount as the volume metric fee of 3.8% for water and sewer.

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

Council/Staff Comments: NONE

ACTION:

Councilor McNamara MOVED, that the Lebanon City Council hereby adopts Ordinance #2025-10, as presented in the October 15, 2025 City Council agenda packet, to amend City Code Chapter 68, Fees, Article III, Miscellaneous Fees, §68-15, Enumeration of Fees, to authorize changes to certain public utilities fees.

Seconded by Councilor Simon.

****The Vote on the Motion was approved (8-0). Councilor Stavis was not present at the time this vote was taken.***

C. Ordinance #2025-11 - A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 97: Landfill Regulations, Appendix A: Fees

Included in the agenda packet: [\(All supportive documents and detailed information \(listed below\) can be found on pages 51-55, Council agenda packet\)](#)

1. Ordinance #2025-11

Deputy City Manager Brooks reviewed the background and noted the Council received a presentation and had a discussion at its last meeting on October 1, 2025 when it set the Public Hearing.

BACKGROUND

City Code Chapter 97, Landfill Regulations, was fully updated in July 2019 to incorporate the language from the former Chapter 143, Solid Waste, (which was repealed on July 24, 2019), and to include a fee schedule for disposal of refuse and recycling of certain materials.

Chapter 97 and the fee schedule outlined in Appendix A were last updated on November 20, 2024, with an effective date of January 1, 2025, to incorporate new and updated language in several sections of the chapter, to update the fees, and to propose new fees for contaminated or mixed load recycling, drive-off fees, and oil.

Now, the City Administration is proposing Ordinance #2025-11 to recommend minor clarifications to the language of Chapter 97, as well as further updates to the fees listed in Appendix A to reflect increased disposal costs. As proposed, the new fees and other changes would be effective as of January 1, 2026.

DPW Assistant Director Christopher Kilmer was present to answer any questions from the public or Councilors.

Fluorescent bulbs	\$2.50 Base + \$0.15/ft. (Up to 4 bulbs or CFLs accepted per day)
Compact fluorescent lamps (CFLs)	\$2.50 Base+\$0.60/each (Up to 4 bulbs or CFLs accepted per day)
Cover materials	\$15.00-17.95/ton 20.00 per ton
Food waste	\$50.00 60.00/ton 155.00 per ton
Food scraps – household	No charge for food scrap composting-Residential
Glass-Bulk Load	\$40.00/ton 155.00 per ton
In Person Permit fee	\$15.00 (including the cost of the permit)
Equipment Assist	\$75.00
Scale Use Fee	\$10.00
Propane tanks 20lb	\$14.50
Propane tanks 1lb	\$4.50
Change of scale ticket fee, next day	\$30.00 (day of is free)
Lost card Fee-commercial	\$25.00
Account reactivation Fee	\$50.00
Found in Load Fee	Additional \$20.00 on top of cost of item
Drive off Fee	\$250 first offense, \$500 second offense, 6-month suspension 3 rd offense
Mixed Loads	Charged at the highest Rate of items contained in load
Oil	\$5 for up to a gallon, \$5 per gallon after that.
Waste Water Sludge	\$200.00 per ton

Assistant City Manager Brooks specifically pointed out one fee change above, which is the **“in-person Permit Fee”** of \$15.00 that included the cost of the permit. The proposed change is to change that \$15 to \$10 and in parentheses make it **in addition to base permit fee**.

Mayor Whittlesey opened the Public Hearing.

- **Lori Key (Ward-3):** She questioned how these fees were determined and what data was used. Mayor Whittlesey noted he wanted to see an increase and at least, for most of these fees (residential), he wanted a differentiated rate (i.e. one for Lebanon residents vs. non-Lebanon residents permit fees). For the other rates he rose them by 10% across the board because a raise in those fees has not been done in a while. This is not necessarily end of the conversation in terms of what the fees should be, but more of a starting point.

In response to Ms. Key’s question, City Manager Hosmer concurred this is an Enterprise Fund, so it is totally supported by user fees and does not look to the General Fund, which are supported by property taxes. What they have tried to do is put a fee structure in place that allows for this fund to not only fully pay for its operating costs on a yearly basis, but also keep enough funds in reserve so that as we begin to contemplate capping and covering the faces of the Solid Waste Facility, we have enough funds in reserve to do that, which is an extraordinarily expensive proposition. There are also a number of State-mandated fees as well. We wanted to have a little more structure, so the fees reflect the actual cost of running the landfill and further explained his reasoning.

Councilor McNamara noted that DPW Director Kilmer did an excellent job in drilling down these fees into individual categories of waste and assessed the cost of each individual category, and further explained his reasoning.

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

Council/Staff Comments:

In response to Councilor Syke's question, DPW Director Cairelli noted that it is less expensive to visit the landfill rather than having a commercial trash collector collect the trash and then taking it to the landfill.

ACTION:

Councilor Sykes MOVED, that the Lebanon City Council hereby adopts Ordinance #2025-11, as presented in the October 15, 2025 City Council agenda packet, to amend the Code of the City of Lebanon, Chapter 97, Landfill Regulations as amended by Deputy City Manager Brooks (change the \$15 to \$10 in person fee and in parentheses make it in addition to base permit fee). Seconded by Councilor Stavis.

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

10. OLD BUSINESS: NONE

11. NEW BUSINESS

A. Release of Collected Public School Impact Fees (3rd Quarter 2025)

Included in the agenda packet: [\(All supportive documents and detailed information \(listed below\) can be found on pages 56-60, Council agenda packet\)](#)

1. Impact Fee Report as of 09/30/2025
2. November 22, 2021, Memorandum of Understanding between the City of Lebanon and The Lebanon School District, SAU#88

Deputy City Manager Brooks reviewed the background, noting this is done on a quarterly basis.

BACKGROUND

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

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

To date \$1,080,130.60 in impact fees have been disbursed to the Lebanon School District.

7/17/2013	\$83,690.78	11/6/2013	\$14,651.99	5/21/2014	\$19,407.00
8/6/2014	\$2,122.75	2/18/2015	\$723.00	5/20/2015	\$2,819.00
7/15/2015	\$1,627.50	11/4/2015	\$936.00	3/2/2016	\$3,156.00
5/18/2016	\$864.00	5/17/2017	\$5,230.00	12/6/2017	\$6,140.75
2/7/2018	\$41,262.70	9/5/2018	\$12,564.45	2/6/2019	\$1,833.10
8/7/2019	\$8,822.20	4/15/2020	\$40,432.02	7/15/2020	\$123,709.65
12/2/2020	\$57,567.42	1/21/2021	\$102,409.40	8/4/2021	\$12,695.86
1/19/2022	\$9,035.45	4/20/2022	\$3,216.15	10/19/2022	\$261,738.35
2/1/2023	\$2,185.00	4/19/2023	\$3,824.44	9/6/2023	\$3,142.57
11/15/2023	\$9,740.60	2/27/2024	\$6,341.26	5/15/2024	\$11,899.60
9/4/2024	\$140,359.34	1/22/2025	\$46,642.06	4/16/2025	\$25,345.80
7/16/2025	\$13,994.41				

1 This request was for the City Council to authorize the disbursement of \$21,646.65 in collected Public School
2 Impact Fees (through 09/30/2025) to the Lebanon School District.

3
4 **Council/Staff Comments: NONE**

5
6 **ACTION:**

7 *Assistant Mayor Wilkie MOVED, that in accordance with Section 213.10 (Administration of Impact*
8 *Fees) of the Lebanon Zoning Ordinance, and the November 22, 2021 Memorandum of Understanding*
9 *between the City of Lebanon and the Lebanon School District, SAU 88, the City Council hereby*
10 *authorizes the disbursement of \$21,646.65 in collected Public School Impact Fees to the Lebanon School*
11 *District to be applied toward the construction, renovation, improvement or expansion of K-12 school*
12 *buildings and related building systems, equipment, and furnishings.*

13 *Seconded by N. Ford Burley.*

14
15 **The Vote on the Motion was approved (9-0).*

16
17 **B. Review and Adoption of Amendments to City Council Policy CC-107, Debt Management**

18
19 Included in the agenda packet: [\(All supportive documents and information listed below can be found on](#)
20 [pages 61-68, Council agenda packet\)](#)

- 21 1. Debt Management Policy CC-107.1 as revised.

22
23 Deputy City Manager Brooks reviewed the background noting that this is related to the Public Utilities
24 fee changes that were just adopted.

25
26 **BACKGROUND**

27 In September 2021, the City Council adopted Council Policy CC-107, Debt Management, to formalize the
28 procedures for setting the City's internal debt limits for the General Fund, Water Fund, and Solid Waste
29 Fund. Provisions relative to the Sewer Fund were added in December 2023 following the completion of
30 additional analysis of sewer system infrastructure needs.

31 The annual rate increases for the Water Fund and Sewer Fund in Section 4.1.2 are set by two components
32 – a fixed percentage and a variable percentage. As currently written, the policy mandates annual rate
33 increases of five percent (5%) for the fixed component, plus a variable component based on the annual
34 CPI for the Northeast Region, with a yearly increase capped at 8 percent.

35 As a reminder, the Water and Sewer Service Rates are determined and set in order to provide current and
36 future resources to absorb projected operations and maintenance costs and debt service expenses in both
37 enterprise funds. However, depending upon the need for known or reasonably foreseeable capital
38 improvements within the water and sewer systems, and depending upon the available fund balance in the
39 Water Fund and Sewer Fund, the City may not always need to increase water and/or sewer rates by at
40 least 5% or as much as 8% in any given year.

41 As a result, the City administration recommends amending Council Policy CC-107, Debt Management, to
42 provide greater flexibility in setting the annual rate increases for the Water and Sewer Funds.

43 The rate increases/decreases will become effective January 1, 2026.

1 **ACTION:**

2 *Councilor N. Ford Burley MOVED, that the Lebanon City Council hereby approves the revisions to*
3 *Council Policy CC-107, Debt Management, now identified as CC-107.1, as presented in the October 15,*
4 *2025 City Council agenda packet.*
5 *Seconded by Councilor Heistad.*
6

7 **The Vote on the Motion was approved (9-0).*
8

9 **C. Discussion and Set Public Hearing for November 5, 2025: Ordinance #2025-12,**
10 **Proposed Amendments to or Repeal of City Code Chapter 185, Welcoming Lebanon**

11 Included in the agenda packet: [\(All supportive documents and information listed below can be found on](#)
12 [pages 69-80, Council agenda packet\)](#)

- 13 1. Proposed Ordinance #2025-12, including proposed redline edits to City Code Chapter 185 as
14 reviewed by the DEI Commission
- 15 2. Draft Commitment to Community Resolution as reviewed by the DEI Commission
- 16 3. NHMA document issued July 16, 2025, re: Guidance on SB 62 and HB511, Cooperation with
17 Federal Immigration Prohibiting Sanctuary Cities Policies
18

19 Deputy City Manager Brooks reviewed the background behind Ordinance #2025-12, and the
20 Proposed Amendments to or Repeal of City Code Chapter 185, Welcoming Lebanon
21

22 **BACKGROUND**

23 In March 2020, Lebanon voters passed the “Welcoming Lebanon” ordinance, which began through a
24 binding referendum process in October 2019.

25 In May 2020, the City Council established the Fair and Impartial Policing Task Force to study and propose
26 amendments to the ordinance in an effort to make it compliant with then-applicable federal and state
27 laws, rules, and regulations, while maintaining the intent and purpose of the ordinance as adopted by
28 voters. The resulting language was adopted by the City Council through Ordinance #2020-19 on
29 December 7, 2020, as City Code Chapter 185, Welcoming Lebanon, which took effect on January 1,
30 2021.

31 On July 21, 2025, new state legislation (Laws of 2025, Chapter 38 - Senate Bill 62) took effect, which
32 prohibits municipalities from barring local police departments from applying for entry or entering into
33 agreements with the U.S. Immigration and Customs Enforcement (ICE) to participate in federal 287(g)
34 programs pursuant to 8. U.S.C. §1357(g). Section 2 of SB 62 goes into effect on January 1, 2026, and
35 will prohibit local municipalities from prohibiting or impeding a state or federal law enforcement agency
36 from complying with Title 8 of the U.S. Code, which covers immigration and immigration enforcement.
37 Any local government that violates this provision may be subject to a civil complaint brought by the NH
38 Attorney General and could be subject to punitive damages of up to 25 percent of the total state funds
39 received by the local government in the fiscal year when the violation occurred.

40 Also on January 1, 2026, related legislation (Laws of 2025, Chapter 39 – House Bill 511) will take effect,
41 which will prohibit any unit of local government from having a “sanctuary policy” that impedes a law
42 enforcement agency from complying with 8. U.S.C. §1357, or which impedes a local law enforcement
43 agency from communicating or cooperating with a federal immigration agency on a variety of issues.
44 Included in the agenda packet is a document prepared by the New Hampshire Municipal Association
45 that summarizes and provides guidance on interpreting the new laws.

1 Based on the enacted legislation, it appears the existing language of Chapter 185, if left unchanged or
2 unrepealed, would violate the new laws when they take effect on January 1, 2026.

3 In September, the City's DEI Commission held a discussion about potential amendments to Chapter
4 185, as well as a related proposed resolution, both of which are included with the agenda packet materials.
5 At the conclusion of its discussion, the DEI Commission approved the following motion:

6 ***A MOTION by Richard Ford Burley that the DEI Commission recommends to the City***
7 ***Council the following: that they (a) make due consultation with legal counsel in order***
8 ***to redraft City Code Chapter 185, Welcoming Lebanon, to preserve as many protections***
9 ***as possible for the community members of the City of Lebanon, without violating state***
10 ***law; and (b) that the passage of such revisions be contingent upon the passage of the***
11 ***presented Commitment to Community Resolution; and (c) that the passage of such***
12 ***changes should come with a provision that Chapter 185 shall automatically revert to the***
13 ***present language upon the reversal of any laws preventing it by court order or subsequent***
14 ***legislation.***

15 The City Administration recommended that the Council schedule a public hearing to discuss either
16 amendments to or repeal of the existing language of City Code Chapter 185, Welcoming Lebanon, to ensure
17 compliance with applicable laws that will take effect on January 1, 2026.

18 **Council/Staff Discussions**

19 Assistant Mayor Wilkie added some context noting that we (DEI) were aware of this earlier this summer
20 and have spent a number of months trying to determine what needs to be done. There is a risk of losing
21 funding if we are not in compliance with the State laws that will go into effect. He has spoken with a
22 number of different stakeholders ranging from petitioners from the 2020 Citizen binding initiative to the
23 DEI Commission members, other community organizations and the Mayor. The options that we have are:

- 24 1) Keep the Ordinance as it is and expose ourselves to that particular risk (of losing funding);
25 2) Make adjustments to the Ordinance, which would limit that risk, or
26 3) Repeal the Ordinance in its entirety.
27

28 His impression, after discussions with the stakeholders, led him to understand that there are some
29 sentiments in the language that should be preserved so he worked with some of the stakeholders to draft a
30 resolution, similar to the updated 2018 resolution for inclusiveness. Similarly, Mayor Whittlesey proposed
31 some revisions to the Ordinance, and both went to the DEI Commission with the recommendation
32 (MOTION) listed above. Legal counsel will review these sentiments and try to find a way to create a
33 provision that would allow the Lebanon Welcoming Ordinance to revert to the present language on the
34 reversal of any laws preventing it by Court Order or subsequent legislation. He felt it would be very
35 unlikely that there would be such a Court Order or subsequent legislation, so the effort to try to craft a
36 revision would be excessive and potentially unnecessary. (Please refer to the documents listed above that
37 were included in the Council agenda packet, pages 71-80). The Council has met with legal counsel and if
38 further revisions need to be made, it might be more appropriate for us to have a Councilor work with legal
39 counsel to make those revisions and then bring their recommendations forth at the Council meeting on
40 November 5, 2025 and set the Public Hearing for November 19, 2026. He felt this is not the time for a
41 Public Hearing, as we still need to determine what needs to be done.
42

43 Mayor Whittlesey noted that in the Lebanon Welcoming Ordinance there are important provisions
44 worth protecting that are not addressed in the new laws that have been passed by the State Legislature
45 this year and felt it has been a hallmark of our community that we are welcoming to everyone. To

1 him, the Lebanon Welcoming Ordinance is a reflection of that view. While he recognizes that we
2 need to maintain compliance with State and Federal Law, he did not feel a full repeal was necessarily
3 warranted if we could find the right approach and further expanded on his reasoning.

4
5 Councilor McNamara noted that the purpose tonight is to schedule a Public Hearing on November 5,
6 2025. This is a topic of great interest within the community and felt it was important to schedule the
7 Public Hearing to get this conversation underway and come to some resolution well before January 1,
8 2026 so we are not in violation of the current law.

9
10 Assistant Mayor Wilkie spoke about the history of the Fair Policing Policy and felt that rather than
11 continue revising this Ordinance, it might be better to repeal it entirely and replace it with something
12 else because if any form of this (Ordinance) remains in existence we could risk the funding and
13 further explained his reasons. He suggested that a new task force be created in 2026 to determine
14 what real protections we want.

15 16 **ACTION**

17 *Councilor Stavis MOVED, that the Lebanon City Council hereby schedules a public hearing for*
18 *Wednesday, November 5, 2025, beginning at 6:00pm, in Council Chambers, City Hall, and Remote via*
19 *the City's Virtual Platform, for the purpose of receiving public input and taking action on proposed*
20 *Ordinance #2025-12, to amend or repeal City Code Chapter 185, Welcoming Lebanon, to ensure*
21 *compliance with applicable laws that will take effect on January 1, 2026.*
22 *Seconded by Councilor McNamara.*

23
24 Councilor Sykes spoke about his reasons why he would not support the motion as proposed above.

25
26 **The Vote on the Motion was approved (8-1). Councilor Sykes voted against.*
27

28 **D. Work Session: Overview and Presentation of the 2026-2031 Capital Improvements** 29 **Program (CIP) and Capital Budget**

30
31 Included in the agenda packet: [\(All supportive documents and information listed below can be found on](#)
32 [pages 81-127, Council agenda packet\)](#)

- 33 1. 2026-2031 Capital Improvements Program and Other Capital Projects packet
34

35 Mayor Whittlesey noted this is the start of the City's budget process and this is an informational
36 presentation to the Council and public. There will be more information coming in other subsequent
37 sessions on the budget in the future.

38 39 **BACKGROUND**

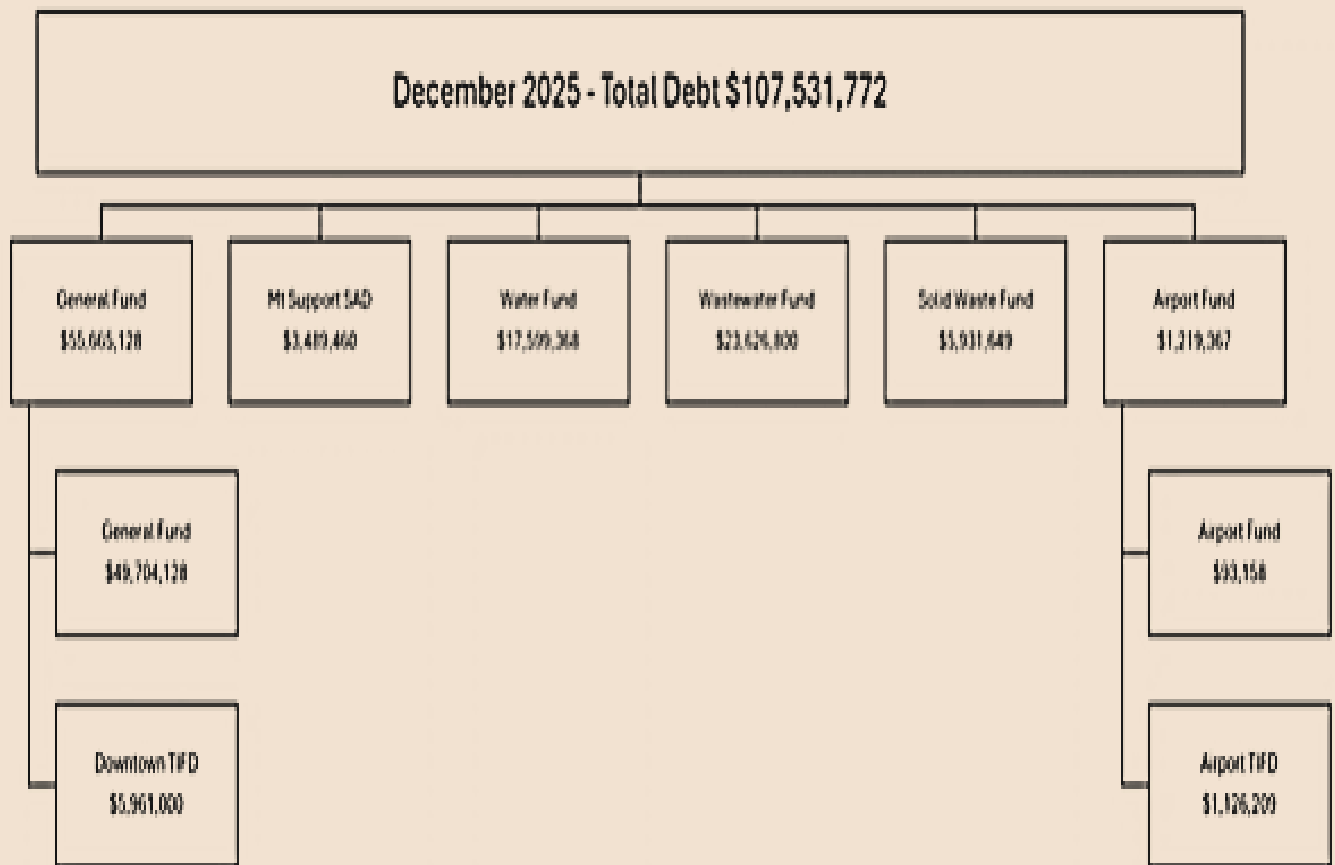
40 At its meetings on August 25, 2025 and September 8, 2025, the Planning Board reviewed the proposed
41 Capital Improvement Program (CIP) for the six-year period of 2026-2031, discussing those projects that
42 meet the definition of a CIP Item regardless of which year(s) the projects are proposed for funding. At the
43 conclusion of the discussion, the Planning Board voted to approve and adopt the Capital Improvement
44 Program for 2026-2031, and to submit Year 1 (2026) of the CIP as the Board's recommendation to the City
45 Council for capital budget funding for 2026.

46 As part of the preparation and review of the annual budget, the City Manager, Planning & Development
47 Department, and other City departments were present on October 15, 2025, to review the 2026-2031 CIP,

the recommended 2026 Capital Budget, and to answer any questions the City Council may have about upcoming projects.

City Manager Hosmer noted this presentation will hopefully show a little light on the mystery of the CIP Program. The purpose of this is to provide a clear update on the City's current Capital Improvement priorities and to demonstrate our fiscal responsibility and responsiveness to community feedback. In his short time here at the City, he spent most of his time working on the budget and trying to get an understanding of it. The feedback from the residents and public last year has had a profound impact on how City Hall staff and our departments are building a budget, thinking about debt and thinking about their operational expenses. This has guided us in our spending priorities moving forward. Another purpose of this is how the City's strategic deferral of new Capital Debt positions Lebanon for long-term sustainability and flexibility to adapt to future needs by always keeping in mind the impact these debts have on local tax payors.

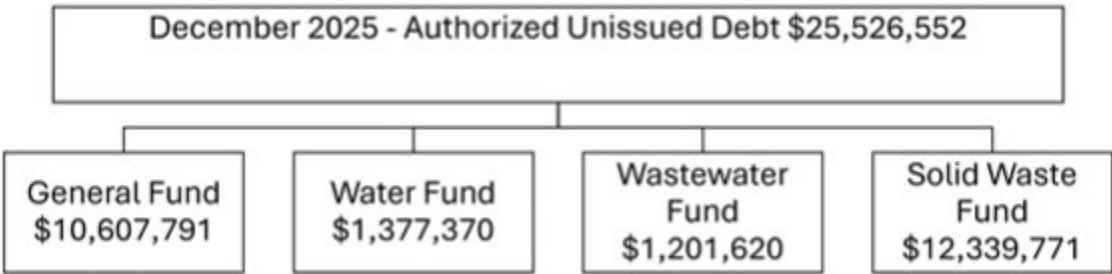
(Note: Below is a summarization of the screenshots presented to the Council that were not included in the Council agenda packet. For complete details, please refer to the October 15, 2025 Council agenda packet or to the video recording of the meeting.)



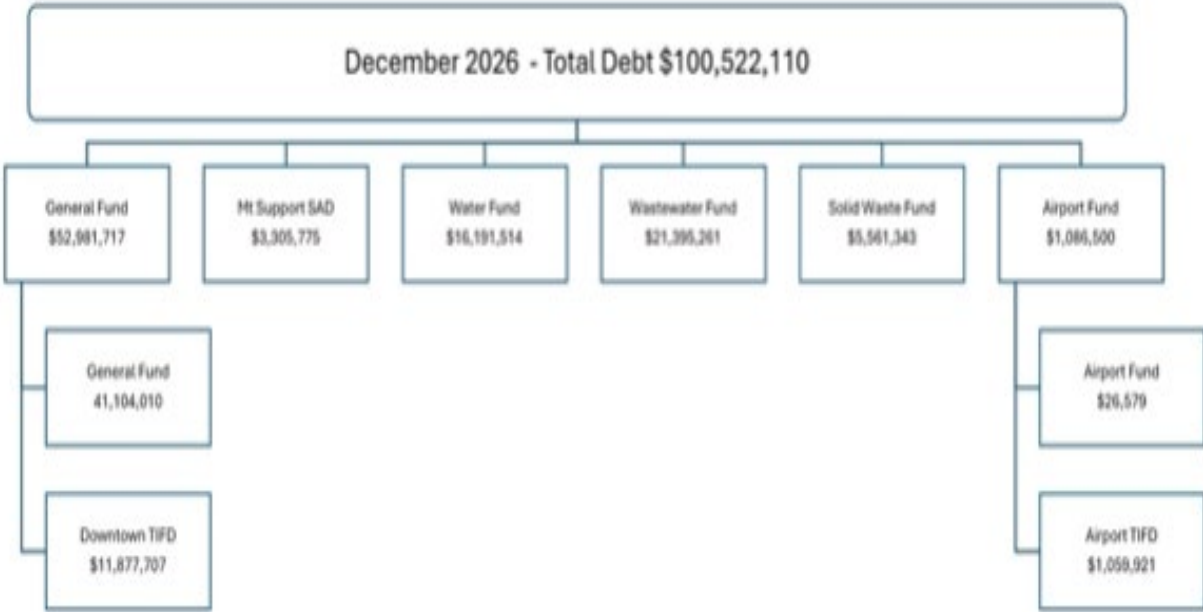
2025 General Fund Debt Balances

Funded By:	Project Name	Remaining Principal
General Fund	Fire Station One	\$21,750,140
	Infrastructure & Building Projects 2006 – 2025	\$16,401,302
	Combined Sewer Separation	\$7,235,086
	City Hall Renovation	\$2,400,000
	Fire & Rescue Apparatus	\$1,917,600
	Total General Fund Supported 2025	\$49,704,128
Downtown TIFD	Downtown Tunnel & Visioning	\$2,685,000
	City Hall Renovation	\$2,365,000
	Spencer St. Improvements	\$911,000
	Total TIFD Supported 2025	\$5,961,000

1



2



3

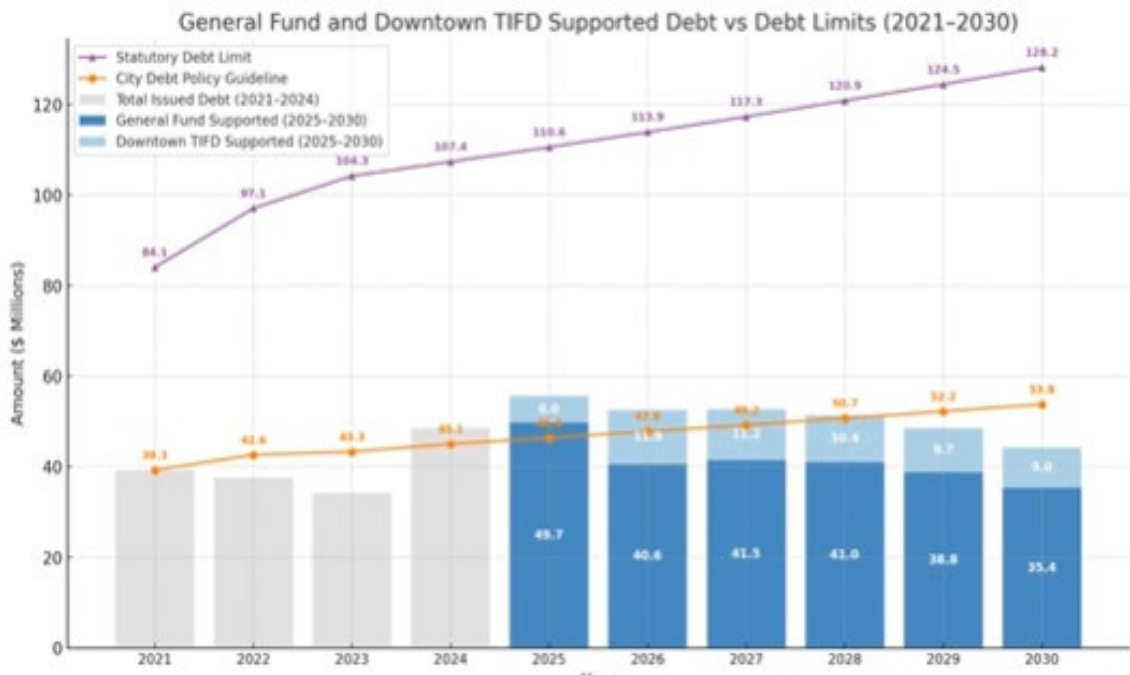
4

2026 General Fund Debt Balances

Funded By:	Project Name	Remaining Principal
General Fund	Fire Station One	\$16,128,443
	Infrastructure & Building Projects 2006 – 2025	\$14,862,477
	Combined Sewer Separation	\$6,682,140
	Fire & Rescue Apparatus	\$3,430,950
	Total General Fund Supported	\$41,104,010
Downtown TIFD	Downtown Tunnel & Visioning	\$2,515,000
	City Hall Renovation	\$4,465,000
	Spencer St. Improvements	\$865,450
	Fire Station One	\$4,032,257
	Total TIFD Supported	\$11,877,707

1

General Fund Debt vs. Debt Limits



2

3

4

5

6

Mr. Tim Corwin, Deputy Director Planning and Development, spoke about the following slides of presentation:

7



Capital Improvement Program

Developed and updated annually to review proposed budget expenditures relative to community's capital needs.

Prepared in accordance with statutory requirements (RSA 674:5-8) and based on and supportive of the goals of the Master Plan.

Required to cover at least 6 years to allow **community** to plan for upcoming large expenditures to avoid significant fluctuations in spending and tax rates to the extent feasible.

Although the annual budget is a Council responsibility, the Planning Board is responsible for preparing and adopting the CIP; it is first and foremost a planning document.

Must have adopted Master Plan to have a CIP; must have adopted CIP to have Impact Fees and Growth Management Ordinances.

Constantly evolving and changing throughout the preparation and review process.

Capital Improvement Program Items



Roads, Bridges, Greenways



Acquisition of land



Construction of new buildings & facilities valued in excess of \$100,000



Facilities engineering design and preconstruction costs in excess of \$100,000



Reconstruction of existing facilities resulting in more capacity for growth at a cost in excess of \$100,000

Mr. Tim Corwin reviewed his memo dated October 6, 2025, page 84, Council agenda packet.

At its meeting on September 8, 2025, the Planning Board reviewed the proposed Capital Improvement Program for 2026-2031, discussing those projects that meet the definition of a CIP Item regardless of which year(s) the projects are proposed for funding.

Once again, this year's CIP list includes projects anticipated for funding beyond the immediate 6-year time period in order to further enhance the usefulness of the CIP as a financial and community planning tool. Including projects beyond the typical 6-year time period is a component of the Council's Debt Management Policy (CC-107) and provides a preview of needed capital projects that cannot be funded in the immediate planning horizon.

The following CIP projects for the 2026-2031+ timeframe were reviewed by the Planning Board (projects proposed for funding in 2026 are ***italicized and bolded***):

Department

Airport

Airport

Airport

Fire

Public Works

Public Works

Public Works

Public Works

Public Works

Public Works

Public Works

Recreation, Arts, & Parks

Recreation, Arts, & Parks

Public Works

Public Works

Public Works

Project Description

T-Hanger Construction

Taxiway A Extension Phase 2

Taxiway A Extension Phase 3

Station 2 Replacement

Route 120-Etna-Old Etna Road Pedestrian Improvements

Mechanic St/Slayton Hill Rd/Mascoma St Reconstruction

Mechanic Street Sidewalk – Buckingham Place to Poverty Lane

Mechanic St Sidewalk - American Legion to Slayton Hill Rd

Mechanic St Sidewalk – Rivermill Bus Stop to Slayton Hill Rd

Hanover Street Improvements

Mechanic St/Mascoma St/High St Roundabout

School Street /Meriden Road Safety Improvements

Mascoma River Greenway Extension

MRG to Mascoma Street Path

Large Groundwater Well and Water Treatment Facility

Centerra Water Main Extension

Landfill Expansion Phase 3 and 4 Design, Permitting & Construction

CAPITAL IMPROVEMENT PROGRAM ITEMS

For the purpose of the Planning Board's Capital Improvements Program, Capital Improvement Program Items (CIP Items) will be those items that pertain to planning and land use within the City only. CIP Items include:

- a) Any Physical Public Betterment and studies relative thereto with an estimated cost or value in excess of \$100,000;
- b) Acquisition of land, regardless of estimated cost;
- c) Construction of new buildings and facilities with an estimated value in excess of \$100,000;
- d) Facilities engineering design and other preconstruction costs in excess of \$100,000, unless such costs are part of a project that does not result in more capacity for growth;
- e) Reconstruction of existing facilities resulting in more capacity for City growth with an estimated cost or value in excess of \$100,000.

Capital items that are operational in scope, vehicles for example, are not considered to be CIP Items.

A **Physical Public Betterment** shall mean any new use of land or infrastructure that is for the benefit of the community. Excluded from this definition are operational maintenance and improvements accruing a benefit to the community, which do not increase capacity for growth, for example resurfacing a road, fixing a sidewalk, and other in-kind repairs.

PLANNING BOARD

It is the Planning Board's responsibility to review and revise the Capital Improvement Plan as presented by the Administration, and to develop the CIP with a view toward ensuring that proposed projects are compatible and complementary with the Master Plan.

2025-2026 Capital Budget Comparison Debt Funding

2025	2026
General Fund- \$1,063,650	General Fund- \$0
Sewer Fund- \$150,000	Sewer Fund- \$0
Water Fund- \$1,440,000	Water Fund- \$0
Solid Waste Fund- \$14,118,000	Solid Waste Fund- \$0
Airport Fund- \$0	Airport Fund- \$370,950
TOTAL- \$16,771,650	TOTAL- \$370,950

2026-2031 CIP - Unfunded Projects

Department	Project Name	Projected Cost
<u>GENERAL FUND</u>		
<u>FACILITIES</u>		
FIRE	Fire Station 2 Replacement	\$14,200,000
DPW	City Hall Renovations Phase 5	\$654,000
<u>ROADS & BRIDGES</u>		
DPW	Route 120–Etna–Old Etna Road Pedestrian Improvements	\$1,350,000
DPW	Mack Avenue Infrastructure Improvements	\$900,000
DPW	Estabrook Circle and Maple Street Stormwater Improvements	\$1,181,250
DPW	Mechanic St Sidewalk - Buckingham Pl to Poverty Ln (Phase 1)	\$1,950,920
DPW	Hanover Street Reconstruction - Route 120 to Mascoma Street	\$5,453,020
DPW	Green Street and Shaw Street Reconstruction	\$2,727,740
DPW	Elm Street and Union Street Reconstruction	\$2,579,690
DPW	School St / Meriden Rd Safety Improvements	\$635,170
<u>OTHER</u>		
REC	MRG to Mascoma Street Path	\$408,000
TOTAL GENERAL FUND		\$32,039,790
<u>WATER FUND</u>		
DPW-WATER	Hanover Street Reconstruction - Route 120 to Mascoma Street	\$942,950
NEW-DPW-WATER	Centerra Water Main Extension	\$1,650,000
DPW-WATER	Mack Avenue Infrastructure Improvements	\$100,000
DPW-WATER	Estabrook Circle and Maple Street Stormwater Improvements	\$1,012,500
DPW-WATER	Green Street and Shaw Street Reconstruction	\$2,338,060
DPW-WATER	Elm Street and Union Street Reconstruction	\$2,211,160
TOTAL WATER FUND		\$8,254,670
<u>SEWER FUND</u>		
DPW-SEWER	Hanover Street Reconstruction - Route 120 to Mascoma Street	\$1,100,110
DPW-SEWER	Estabrook Circle and Maple Street Stormwater Improvements	\$1,181,250
DPW-SEWER	Green Street and Shaw Street Reconstruction	\$2,727,740
DPW-SEWER	Elm Street and Union Street Reconstruction	\$2,579,690
NEW-DPW-SEWER	Route 12A Pump Station	\$2,000,000
TOTAL SEWER FUND		\$9,588,790
<u>SOLID WASTE FUND</u>		
DPW-SOLID	Landfill Phase 3-4 Design, Permitting, and Construction	\$40,000,000
TOTAL SOLID WASTE FUND		\$40,000,000
TOTAL UNFUNDED CITY CAPITAL IMPROVEMENTS PROGRAM		\$89,883,250

Mr. Carl Gross, Airport Director, reviewed his 2026 T-Hanger Construction Project as listed on page 92-96, Council agenda packet and the Airport's Pavement Management Plan as listed on pages 97-99, Council agenda packet.

Councilor McNamara and Director Gross discussed the funding/grant for construction of these projects, with Director Gross noting that when construction projects are issued for the Airport, everything is contingent based upon receipt of the grant(s) and are also contingent upon Governor/Council approval to not only take the State's 5% but to act as a pass through agency for the Federal funds coming to the project. Director Gross assured Councilor McNamara that unspent funds have been banked with the FAA (Federal Aviation Agency) and the City has the funds on hand.

Mr. Jay Cairelli, DPW Director reviewed the DPW Fleet Replacement Plan as detailed on pages 100-102, Council agenda packet.

1 The following items were also reviewed and discussed by the Council:

2
3 MECHANIC ST/
4 MASCOMA ST/
5 HIGH ST
6 ROUNDABOUT

7 Details can be found on pages 103-105, Council agenda packet. This is being pulling out of the 2026
8 CIP entirely until all the correct information is in. It will come back to the Council most likely during the
9 1st quarter of 2026, depending on the bids we receive and hear back from the State on their contributions.

10 In response to Councilor Stavis' question about the Dry Bridge Replacement, Director Cairelli noted that
11 the funds that were previously appropriated are expected to cover the cost of that project so there is no
12 request for funds in 2026.

13 TRUES BROOK
14 ROAD BRIDGE

15 Details can be found on Pages 106-108, Council agenda packet.

16 FARNUM HILL TANK
17 – WATER AGE AND
18 QUALITY

19 Details can be found on Pages 109-112, Council agenda packet.

20 LANDFILL PHASE
21 3-4 DESIGN,
22 PERMITTING, AND
23 CONSTRUCTION

24 Details can be found on Pages 113-117, Council agenda packet.

25 LEBANON SCHOOL DISTRICT CIP 2026-2031_Draft

26 Details can be found on Pages 118-119, Council agenda packet.

27 Council/Staff Comments:

28 Mayor Whittlesey thanked all City staff for considering Lebanon residents in their CIP proposals and for
29 deferring some of their projects, noting there is +/- \$90M of deferred infrastructure.

- 30
- 31 • Mr. Jay Simms (Ward-2) – He spoke about his appreciation on scaling some of these CIP
32 items back and questioned where the City stood regarding the required lead pipe projects.
33 Mr. Cairelli noted the funds have been appropriated and Deputy City Manager Brooks
34 explained and gave examples for authorizing and appropriating funds 5-6 years down the
35 road. Mr. Simms also expressed his concerns over City property acquisitions and fleet
36 purchase management.
 - 37 • Ms. Sarah Riley (Ward-2): She spoke about her concerns regarding a 2nd water source for
38 Lebanon. City Manager Hosmer noted that right now this is a placeholder and an estimated
39 cost to have the well dug to have a treatment center installed. For reference purposes, we
40 have been working towards what we hope to be an equally efficient system when it comes to
41 supply, volume, and quality of water at maybe less money than has been suggested.
42 Discussions have taken place with our neighbors in Hartford, as well as Hanover, to talk
43
44

1 about accessing either surface water from Hanover. There is also a well in Hartford. It is in
2 the CIP as a reference with no firm commitment to spend that money until we have become
3 better informed through due diligence in looking at other opportunities that would give us the
4 volume that we need in Lebanon, as well as the quality of the water. Hopefully by the end of
5 the year or the beginning of 2026, we will have all the information the City needs from those
6 potential partners in order to avoid that significant \$15-\$17M new well.
7

8 Ms. Riley felt this was important information that Lebanon residents should have and the City
9 should be encouraging people to conserve water.
10

11 **ACTION: *This agenda item is for informational purposes only. No action required by the Council.***
12

13 **12. City Manager Report:**

14 City Manager Hosmer updated the Council on the following:

- 15 • Debt Management: There will be no new debt issuance for 2026 for General Fund support
16 project.
- 17 • Winter Shelter: December 15, 2025 through April 15, 2026. Work in progress and looking to
18 improve the processes involved.
- 19 • Hanover Mall: A compromise has been reached.
- 20 • Timeliness in receiving the City's audit. Finance knows that it is a priority to get the audit done.
21

22 **13. NON-PUBLIC SESSION: NONE**
23

24 **14. ADJOURNMENT:**
25

26 *Councilor Simon MOVED for adjournment.*

27 *Seconded by Councilor Heistad*
28

29 **The Vote on the MOTION was unanimously approved (9-0)*
30

31 **The meeting was adjourned at 9:13 PM.**
32

33 Respectfully submitted,
34 Dona E. Gibson
35 Recording Secretary

Agenda
Lebanon City Council
November 5, 2025

9. Appointments:

Appointments

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

- Conservation Commission, Bruce James (Reappointment Regular Member)
- Conservation Commission, Christopher Johnson (Reappointment Regular Member)
- Diversity, Equity, and Inclusion Commission, Bise Wood Saint Eugene (Reappointment Public Representative)
- Downtown Lebanon TIF Advisory Board, Barry Schuster (Reappointment Property Owner/Occupant)
- Downtown Lebanon TIF Advisory Board, Victoria Smith (Reappointment Property Owner/Occupant)
- Heritage Commission, Nicole Dittrich (Alternate Member)
- Lebanon Energy Advisory Committee, James Mashal (Reappointment Citizen Representative)
- Tree Advisory Board, Andrew Garthwaite (Reappointment Citizen Member)
- Tree Advisory Board, Susan Johnson (Reappointment Citizen Member)
- West Lebanon Revitalization Advisory Committee, Barbara Krinitz (Resident Member)
- West Lebanon Revitalization Advisory Committee, Spenser Molloy (Business Owner Member)
- Zoning Board of Adjustment, Paul McDonough (Reappointment Regular Member)

Included in this Section:

1. Memo from City Clerk/Tax Collector Jaseya Ewing dated November 5, 2025.



MEMORANDUM

DATE: November 5, 2025
TO: The Honorable Mayor & City Council
FROM: Jaseya Ewing, City Clerk & Tax Collector
RE: **Appointments Proposed for Council Discussion/Action:**

If the Council wishes to proceed with action on the appointments below, a nomination should be made and voted on for each appointment.

Note: nominations do not need to be seconded.

Conservation Commission

1. **Bruce James** – Reappointment as a regular member of the Conservation Commission for a three-year term.
Term: 11/2025 – 11/2028
2. **Christopher Johnson** – Reappointment as a regular member of the Conservation Commission for a three-year term.
Term: 11/2025 – 11/2028

Diversity, Equity, and Inclusion Commission

3. **Bise Wood Saint Eugene** – Reappointment as a Public Representative member of the Diversity, Equity, and Inclusion Commission for a two-year term.
Term: 11/2025 – 11/2027

Downtown Lebanon TIF Advisory Board

4. **Barry Schuster** – Reappointment as a Property Owner/Occupant member of the Downtown Lebanon TIF Advisory Board for a three-year term.
Term: 11/2025 – 11/2028
5. **Victoria Smith** – Reappointment as a Property Owner/Occupant member of the Downtown Lebanon TIF Advisory Board for a three-year term.
Term: 11/2025 – 11/2028

Heritage Commission

6. **Nicole Dittrich** – Appointment as an Alternate Member of the Heritage Commission three-year term.

Term: 11/2025 – 11/2028

Lebanon Energy Advisory Committee

7. **James Mashal** – Reappointment as a Citizen Representative of the Lebanon Energy Advisory Committee for a two-year term.

Term: 11/2025 – 11/2027

Tree Advisory Board

8. **Andrew Garthwaite** – Reappointment as a Citizen Member of the Tree Advisory Board for a three-year term.

Term: 11/2025 – 11/2028

9. **Susan Johnson** – Reappointment as a Citizen Member of the Tree Advisory Board for a three-year term.

Term: 11/2025 – 11/2028

West Lebanon Revitalization Advisory Committee

*There are two vacancies: one (1) for a Business Owner or Resident member, and one (1) for an Alternate Business Owner or Resident

10. **Barbara Krinitz** – Appointment as a Resident member of the West Lebanon Revitalization Advisory Committee for a three-year term.

Term: 11/2025 – 11/2028

11. **Spenser Molloy** – Appointment as a Business Owner member of the West Lebanon Revitalization Advisory Committee for a three-year term.

Term: 11/2025 – 11/2028

Zoning Board of Adjustment

- 12. Paul McDonough** – Reappointment as a Regular member of the Zoning Board of Adjustment for a three-year term.

Term: 11/2025 – 11/2028

 Bruce James

 [REDACTED]

 [REDACTED]

Applicant Information

First Name

Bruce

Last Name

James

Contact Phone Number

[REDACTED]

Contact Email

[REDACTED]

Mailing Street Address

[REDACTED]

Mailing City, State, Zip

[REDACTED]

How long have you resided in Lebanon?

0-1 Year

--

2-5 years

6-15 years

--

true

15 or more years

--

Board/Committee/Commission Information

Is this application for a reappointment?

Yes, this is for reappointment.

true

No, this is not for a reappointment.

For which board, committee, or commission are you applying?

Please note that City Council positions are elected positions. **Those interested in serving on the City Council must file with the City Clerk’s office during the designated filing period prior to the March election of each year.** The filing period information will be listed on the Elected Position Filing Information (<https://lebanonnh.gov/1835/Elected-Position-Filing-General-Informat>) page.

Arts & Culture Commission

Board of Cemetery Trustees

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Class VI Roads Advisory Committee

Conservation Commission

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true

Diversity, Equity, and Inclusion Commission

Economic Development Commission

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Downtown Lebanon TIF Advisory Board

Heritage Commission

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Lebanon Airport-Tech Park TIF Advisory Board

Lebanon Energy Advisory Committee

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Library Board of Trustees

Pedestrian & Bicyclist Advisory Committee

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Planning Board

Tree Advisory Board

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West Lebanon Revitalization Advisory Committee

Zoning Board of Adjustment

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Interest to Volunteer

Briefly describe your qualifications and your reasons for seeking an appointment to this board/committee/commission

I have served 2 terms on the Conservation Commission, and wish to continue. I am a retired professor of soil and environmental sciences, and have administrative experience in environmental science and policy at the University of Maryland, College Park.

Policy Acknowledgement

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-108, Ethics and Conflict-of-Interest for Elected and Appointed Officials.

true

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-104 and City Code Chapter 185, Welcoming Lebanon.

true

Signature

Basic Requirements to Volunteer on a Board/Committee/Commission:

Lebanon/West Lebanon resident (except for those boards/committees/commissions 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

I hereby certify that I meet the basic requirements for applying to a City of Lebanon board/committee/commission.

Signature

true

 Christopher Johnson

 [REDACTED]

 [REDACTED]

Applicant Information

First Name

Christopher

Last Name

Johnson

Contact Phone Number

[REDACTED]

Contact Email

[REDACTED]

Mailing Street Address

[REDACTED]

Mailing City, State, Zip

[REDACTED]

How long have you resided in Lebanon?

0-1 Year

--

2-5 years

6-15 years

--

true

15 or more years

--

Board/Committee/Commission Information

Is this application for a reappointment?

Yes, this is for reappointment.

true

No, this is not for a reappointment.

For which board, committee, or commission are you applying?

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Arts & Culture Commission

Board of Cemetery Trustees

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Class VI Roads Advisory Committee

Conservation Commission

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true

Diversity, Equity, and Inclusion Commission

Economic Development Commission

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Downtown Lebanon TIF Advisory Board

Heritage Commission

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Lebanon Airport-Tech Park TIF Advisory Board

Lebanon Energy Advisory Committee

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Library Board of Trustees

Pedestrian & Bicyclist Advisory Committee

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Planning Board

Tree Advisory Board

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West Lebanon Revitalization Advisory Committee

Zoning Board of Adjustment

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Interest to Volunteer

Briefly describe your qualifications and your reasons for seeking an appointment to this board/committee/commission

I have served on the Conservation Commission for six years, so I am well experienced with the duties and responsibilities of the Commission. I love taking care of our natural spaces and giving back to the City as a whole.

Policy Acknowledgement

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-108, Ethics and Conflict-of-Interest for Elected and Appointed Officials.

true

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-104 and City Code Chapter 185, Welcoming Lebanon.

true

Signature

Basic Requirements to Volunteer on a Board/Committee/Commission:

Lebanon/West Lebanon resident (except for those boards/committees/commissions 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

I hereby certify that I meet the basic requirements for applying to a City of Lebanon board/committee/commission.

Signature

true

Board Member Application

CLBD-25-27

Submitted On: Oct 9, 2025

Applicant

 Bise Wood Saint Eugene
 [REDACTED]
 [REDACTED]

Applicant Information

First Name

Bise Wood

Contact Phone Number

[REDACTED]

Mailing Street Address

[REDACTED]

How long have you resided in Lebanon?

2-5 years

--

15 or more years

--

Last Name

Saint Eugene

Contact Email

[REDACTED]

Mailing City, State, Zip

[REDACTED]

0-1 Year

--

6-15 years

true

Board/Committee/Commission Information

Is this application for a reappointment?

No, this is not for a reappointment.

--

Yes, this is for reappointment.

true

For which board, committee, or commission are you applying?

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Arts & Culture Commission

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Class VI Roads Advisory Committee

--

Diversity, Equity, and Inclusion Commission

true

Downtown Lebanon TIF Advisory Board

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Board of Cemetery Trustees

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Conservation Commission

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Economic Development Commission

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Heritage Commission

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Lebanon Airport-Tech Park TIF Advisory Board

Lebanon Energy Advisory Committee

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Library Board of Trustees

Pedestrian & Bicyclist Advisory Committee

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Planning Board

Tree Advisory Board

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West Lebanon Revitalization Advisory Committee

Zoning Board of Adjustment

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Interest to Volunteer

Briefly describe your qualifications and your reasons for seeking an appointment to this board/committee/commission

I currently chair the DEI Commission. My background is in sociology, and I work as the Family Programs Service Coordinator at LISTEN. I am also a member of the Public Health Council and Upper Valley Equity and Anti-Racism (UVEAR). So, I am involved and interested in the life of my community.

Policy Acknowledgement

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true

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-104 and City Code Chapter 185, Welcoming Lebanon.

true

Signature

Basic Requirements to Volunteer on a Board/Committee/Commission:

Lebanon/West Lebanon resident (except for those boards/committees/commissions 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

I hereby certify that I meet the basic requirements for applying to a City of Lebanon board/committee/commission.

Signature

true

 Barry Schuster

 [Redacted]

 [Redacted]

Applicant Information

First Name

Barry

Last Name

Schuster

Contact Phone Number

[Redacted]

Contact Email

[Redacted]

Mailing Street Address

[Redacted]

Mailing City, State, Zip

[Redacted]

How long have you resided in Lebanon?

0-1 Year

--

2-5 years

6-15 years

--

--

15 or more years

true

Board/Committee/Commission Information

Is this application for a reappointment?

Yes, this is for reappointment.

true

No, this is not for a reappointment.

For which board, committee, or commission are you applying?

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Arts & Culture Commission

Board of Cemetery Trustees

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Class VI Roads Advisory Committee

Conservation Commission

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Diversity, Equity, and Inclusion Commission

Economic Development Commission

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Downtown Lebanon TIF Advisory Board

Heritage Commission

true

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Lebanon Airport-Tech Park TIF Advisory Board

Lebanon Energy Advisory Committee

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Library Board of Trustees

Pedestrian & Bicyclist Advisory Committee

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Planning Board

Tree Advisory Board

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West Lebanon Revitalization Advisory Committee

Zoning Board of Adjustment

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Interest to Volunteer

Briefly describe your qualifications and your reasons for seeking an appointment to this board/committee/commission

Long-time resident, current chair of the committee, property owner in the TIF district, former school board member and chair, and I care about the City and believe that I can contribute for the committee.

Policy Acknowledgement

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true

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true

Signature

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Lebanon/West Lebanon resident (except for those boards/committees/commissions 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

I hereby certify that I meet the basic requirements for applying to a City of Lebanon board/committee/commission.

Signature

true

 victoria smith

 [REDACTED]

 [REDACTED]

Applicant Information

First Name

victoria

Last Name

smith

Contact Phone Number

[REDACTED]

Contact Email

[REDACTED]

Mailing Street Address

[REDACTED]

Mailing City, State, Zip

[REDACTED]

How long have you resided in Lebanon?

0-1 Year

--

2-5 years

6-15 years

--

--

15 or more years

true

Board/Committee/Commission Information

Is this application for a reappointment?

Yes, this is for reappointment.

true

No, this is not for a reappointment.

For which board, committee, or commission are you applying?

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Arts & Culture Commission

Board of Cemetery Trustees

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Class VI Roads Advisory Committee

Conservation Commission

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Diversity, Equity, and Inclusion Commission

Economic Development Commission

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Downtown Lebanon TIF Advisory Board

Heritage Commission

true

--

Lebanon Airport-Tech Park TIF Advisory Board

Lebanon Energy Advisory Committee

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Library Board of Trustees

Pedestrian & Bicyclist Advisory Committee

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Planning Board

Tree Advisory Board

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West Lebanon Revitalization Advisory Committee

Zoning Board of Adjustment

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Interest to Volunteer

Briefly describe your qualifications and your reasons for seeking an appointment to this board/committee/commission

I have been a member of this advisory board since its inception and hope to continue the work we have accomplished so far and hopefully, help provide meaningful advice to City Council on the projects that still need addressing.

Policy Acknowledgement

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true

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-104 and City Code Chapter 185, Welcoming Lebanon.

true

Signature

Basic Requirements to Volunteer on a Board/Committee/Commission:

Lebanon/West Lebanon resident (except for those boards/committees/commissions 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

I hereby certify that I meet the basic requirements for applying to a City of Lebanon board/committee/commission.

Signature

true

 Nicole Dittrich

 [REDACTED]

 [REDACTED]

Applicant Information

First Name

Nicole

Last Name

Dittrich

Contact Phone Number

[REDACTED]

Contact Email

[REDACTED]

Mailing Street Address

[REDACTED]

Mailing City, State, Zip

[REDACTED]

How long have you resided in Lebanon?

0-1 Year

--

2-5 years

6-15 years

true

--

15 or more years

--

Board/Committee/Commission Information

Is this application for a reappointment?

Yes, this is for reappointment.

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No, this is not for a reappointment.

For which board, committee, or commission are you applying?

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Arts & Culture Commission

Board of Cemetery Trustees

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Class VI Roads Advisory Committee

Conservation Commission

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Diversity, Equity, and Inclusion Commission

Economic Development Commission

--

--

Downtown Lebanon TIF Advisory Board

Heritage Commission

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true

Lebanon Airport-Tech Park TIF Advisory Board

Lebanon Energy Advisory Committee

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Library Board of Trustees

Pedestrian & Bicyclist Advisory Committee

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Planning Board

Tree Advisory Board

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West Lebanon Revitalization Advisory Committee

Zoning Board of Adjustment

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Interest to Volunteer

Briefly describe your qualifications and your reasons for seeking an appointment to this board/committee/commission

I am interested in the history of Lebanon and helping preserve it. I would love to help share the history of our city, especially in the schools. I have experience with other community volunteer positions, being a current board member and former PTO president at Hanover Street Elementary School.

Policy Acknowledgement

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-108, Ethics and Conflict-of-Interest for Elected and Appointed Officials.

true

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-104 and City Code Chapter 185, Welcoming Lebanon.

true

Signature

Basic Requirements to Volunteer on a Board/Committee/Commission:

Lebanon/West Lebanon resident (except for those boards/committees/commissions 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

I hereby certify that I meet the basic requirements for applying to a City of Lebanon board/committee/commission.

Signature

true

Councilor Interview Report Form

Councilor Name: Nicole Ford Burley Date of Interview: 10/8/2025

Applicant Name: Nicole Dittrich

Board(s) to Which Applied: Heritage Commission

☒ Regular Seat ☐ Alternate Seat

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

(If yes, indicate date of meeting.) Date: 10/8/2025

Recommend Appointment: ☒ Yes ☐ No

☐ Regular Seat ☐ Alternate Seat

General Comments:

Nicole is enthusiastic about local history and has many great ideas for HC activities and initiatives. She would be an exciting addition to the HC roster.

(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?

To help maintain the historical integrity of Lebanon, and to spread knowledge about local history and what makes it special.

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, and sure.

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?

Nicole has served as President a local PTO, and has experience serving on PTO boards. She's never served on a city board, however.

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?

Sure, if needed.

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?

No.

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

Finding and securing funding for maintaining historic properties. Outreach and communication with the public is also a big challenge.

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

While also a challenge, there are great opportunities for communication and outreach to the community.

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

Nicole would like to see more outreach to kids and classrooms, more education about Lebanon's history, and more support for public history and events.

Specific Questions for Applicants to Land-Use Boards:

Zoning Board of Adjustment:

1) Have you ever appeared before a zoning board, personally or through a representative?

2) Do you have any personal or professional knowledge or background in the area of zoning law?

3) Do you believe you can set aside your personal opinions and make impartial decisions based on the City's adopted Zoning Ordinance?

4) Zoning Board decisions can be controversial. The Board is bound by law to work within the current zoning regulations. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

Planning Board:

1) Have you ever appeared before a planning board, personally or through a representative?

2) Do you have any personal or professional knowledge or background in the area of planning law?

3) Do you believe you can set aside your personal opinions and make impartial decisions based on the City's adopted site plan and subdivision regulations, as well as the Zoning Ordinance?

4) Planning Board decisions can be controversial. The Board is bound by law to work within the current site plan and subdivision regulations. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

Conservation Commission:

- 1) Have you ever appeared before a conservation commission, personally or through a representative?

- 2) The Conservation Commission's advisory role in New Hampshire environmental permitting can be controversial. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

 James Mashal





Applicant Information

First Name

James

Last Name

Mashal

Contact Phone Number

Contact Email

Mailing Street Address

Mailing City, State, Zip

How long have you resided in Lebanon?

0-1 Year

--

2-5 years

6-15 years

true

--

15 or more years

--

Board/Committee/Commission Information

Is this application for a reappointment?

Yes, this is for reappointment.

true

No, this is not for a reappointment.

For which board, committee, or commission are you applying?

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Arts & Culture Commission

Board of Cemetery Trustees

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Class VI Roads Advisory Committee

Conservation Commission

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Diversity, Equity, and Inclusion Commission

Economic Development Commission

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Downtown Lebanon TIF Advisory Board

Heritage Commission

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Lebanon Airport-Tech Park TIF Advisory Board

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Library Board of Trustees

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Planning Board

--

West Lebanon Revitalization Advisory Committee

--

Lebanon Energy Advisory Committee

true

Pedestrian & Bicyclist Advisory Committee

--

Tree Advisory Board

--

Zoning Board of Adjustment

--

Interest to Volunteer

Briefly describe your qualifications and your reasons for seeking an appointment to this board/committee/commission

Have served on it recently for the last few years. I am also Lebanon Alt. rep on the Community Power Coalition where I sit on the Risk Management Committee

Policy Acknowledgement

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true

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true

Signature

Basic Requirements to Volunteer on a Board/Committee/Commission:

Lebanon/West Lebanon resident (except for those boards/committees/commissions 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

I hereby certify that I meet the basic requirements for applying to a City of Lebanon board/committee/commission.

Signature

true

 Andrew Garthwaite

Applicant Information

First Name

Andrew

Last Name

Garthwaite

Contact Phone Number



Contact Email



Mailing Street Address



Mailing City, State, Zip



How long have you resided in Lebanon?

0-1 Year

--

2-5 years

6-15 years

--

--

15 or more years

true

Board/Committee/Commission Information

Is this application for a reappointment?

Yes, this is for reappointment.

true

No, this is not for a reappointment.

For which board, committee, or commission are you applying?

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Arts & Culture Commission

Board of Cemetery Trustees

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Class VI Roads Advisory Committee

Conservation Commission

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Lebanon Airport-Tech Park TIF Advisory Board

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Library Board of Trustees

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Planning Board

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West Lebanon Revitalization Advisory Committee

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Lebanon Energy Advisory Committee

--

Pedestrian & Bicyclist Advisory Committee

--

Tree Advisory Board

true

Zoning Board of Adjustment

--

Interest to Volunteer

Briefly describe your qualifications and your reasons for seeking an appointment to this board/committee/commission

I am an architect interested in the many ways trees contribute to our city and increasing support for the knowledge about, maintenance and planting of more trees.

I was a founding member of the Tree Advisory Board.

Policy Acknowledgement

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true

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-104 and City Code Chapter 185, Welcoming Lebanon.

true

Signature

Basic Requirements to Volunteer on a Board/Committee/Commission:

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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

I hereby certify that I meet the basic requirements for applying to a City of Lebanon board/committee/commission.

Signature

true

 Susan Johnson

 [REDACTED]

 [REDACTED]

Applicant Information

First Name

Susan

Last Name

Johnson

Contact Phone Number

[REDACTED]

Contact Email

[REDACTED]

Mailing Street Address

[REDACTED]

Mailing City, State, Zip

[REDACTED]

How long have you resided in Lebanon?

0-1 Year

--

2-5 years

6-15 years

--

--

15 or more years

true

Board/Committee/Commission Information

Is this application for a reappointment?

Yes, this is for reappointment.

true

No, this is not for a reappointment.

For which board, committee, or commission are you applying?

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Arts & Culture Commission

Board of Cemetery Trustees

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Class VI Roads Advisory Committee

Conservation Commission

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Lebanon Energy Advisory Committee

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Library Board of Trustees

Pedestrian & Bicyclist Advisory Committee

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Planning Board

Tree Advisory Board

--

true

West Lebanon Revitalization Advisory Committee

Zoning Board of Adjustment

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Interest to Volunteer

Briefly describe your qualifications and your reasons for seeking an appointment to this board/committee/commission

I've been on the board since it started, am the vice chair, and I'd like to continue with the work we have started.

Policy Acknowledgement

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true

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-104 and City Code Chapter 185, Welcoming Lebanon.

true

Signature

Basic Requirements to Volunteer on a Board/Committee/Commission:

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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

I hereby certify that I meet the basic requirements for applying to a City of Lebanon board/committee/commission.

Signature

true

 Barbara Krinitz

 [Redacted]

 [Redacted]

Applicant Information

First Name

Barbara

Last Name

Krinitz

Contact Phone Number

[Redacted]

Contact Email

[Redacted]

Mailing Street Address

[Redacted]

Mailing City, State, Zip

[Redacted]

How long have you resided in Lebanon?

0-1 Year

--

2-5 years

6-15 years

--

true

15 or more years

--

Board/Committee/Commission Information

Is this application for a reappointment?

Yes, this is for reappointment.

--

No, this is not for a reappointment.

For which board, committee, or commission are you applying?

Please note that City Council positions are elected positions. Those interested in serving on the City Council must file with the City Clerk’s office during the designated filing period prior to the March election of each year. The filing period information will be listed on the Elected Position Filing Information (<https://lebanonnh.gov/1835/Elected-Position-Filing-General-Informat>) page.

Arts & Culture Commission

Board of Cemetery Trustees

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Class VI Roads Advisory Committee

Conservation Commission

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Diversity, Equity, and Inclusion Commission

Economic Development Commission

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Downtown Lebanon TIF Advisory Board

Heritage Commission

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Lebanon Airport-Tech Park TIF Advisory Board

Lebanon Energy Advisory Committee

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Library Board of Trustees

Pedestrian & Bicyclist Advisory Committee

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Planning Board

Tree Advisory Board

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West Lebanon Revitalization Advisory Committee

Zoning Board of Adjustment

true

--

Interest to Volunteer

Briefly describe your qualifications and your reasons for seeking an appointment to this board/committee/commission

I have been a West Lebanon resident for 14 years, and have attended nearly all of the meetings of this Committee, online during COVID, and then in person more recently. I share my opinions and questions with the Committee as a guest; I would like to be "official". As a former educator, I have great communication skills and great ideas!

Policy Acknowledgement

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-108, Ethics and Conflict-of-Interest for Elected and Appointed Officials.

true

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-104 and City Code Chapter 185, Welcoming Lebanon.

true

Signature

Basic Requirements to Volunteer on a Board/Committee/Commission:

Lebanon/West Lebanon resident (except for those boards/committees/commissions 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

I hereby certify that I meet the basic requirements for applying to a City of Lebanon board/committee/commission.

Signature

true

Councilor Interview Report Form

Councilor Name: Laurel Stavis
September 30, 2025

Date of Interview:

Applicant Name: __Barbara
Krinitz

Board(s) to Which Applied: West Lebanon Revitalization Advisory Committee

x	Regular Seat	Alternate Seat
---	--------------	----------------

Has Applicant Attended Meeting of Board to Which Applying?	x	Yes	No
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(If yes, indicate date of meeting.) Date: all meetings

Recommend Appointment: x _____ Yes _____ No

 Regular Seat Alternate Seat

General Comments: __ Barbara is a longtime resident of West Lebanon. She has attended every meeting of the WLRAC since its inception as an observer. Her dedication to the revival of the downtown is impressive and invaluable. She is a former educator, an excellent communicator, and a steadfast advocate of the initiatives that have taken shape in the WLRAC's first few years of existence. I have long thought that Barbara should be a regular member and am delighted that she has agreed to step forward. We will benefit tremendously from her ideas.

(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?

--

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?

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?

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?

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?

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

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

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

Specific Questions for Applicants to Land-Use Boards:

Zoning Board of Adjustment:

1) Have you ever appeared before a zoning board, personally or through a representative?

2) Do you have any personal or professional knowledge or background in the area of zoning law?

3) Do you believe you can set aside your personal opinions and make impartial decisions based on the City's adopted Zoning Ordinance?

4) Zoning Board decisions can be controversial. The Board is bound by law to work within the current zoning regulations. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

Planning Board:

1) Have you ever appeared before a planning board, personally or through a representative?

2) Do you have any personal or professional knowledge or background in the area of planning law?

3) Do you believe you can set aside your personal opinions and make impartial decisions based on the City's adopted site plan and subdivision regulations, as well as the Zoning Ordinance?

4) Planning Board decisions can be controversial. The Board is bound by law to work within the current site plan and subdivision regulations. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

Conservation Commission:

- 1) Have you ever appeared before a conservation commission, personally or through a representative?

- 2) The Conservation Commission's advisory role in New Hampshire environmental permitting can be controversial. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

 Spenser Molloy
 [REDACTED]
 [REDACTED]

Applicant Information

First Name

Spenser

Last Name

Molloy

Contact Phone Number

[REDACTED]

Contact Email

[REDACTED]

Mailing Street Address

[REDACTED]

Mailing City, State, Zip

[REDACTED]

How long have you resided in Lebanon?

0-1 Year

--

2-5 years

6-15 years

--

--

15 or more years

true

Board/Committee/Commission Information

Is this application for a reappointment?

Yes, this is for reappointment.

--

No, this is not for a reappointment.

For which board, committee, or commission are you applying?

Please note that City Council positions are elected positions. **Those interested in serving on the City Council must file with the City Clerk’s office during the designated filing period prior to the March election of each year.** The filing period information will be listed on the Elected Position Filing Information (<https://lebanonnh.gov/1835/Elected-Position-Filing-General-Informat>) page.

Arts & Culture Commission

Board of Cemetery Trustees

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Class VI Roads Advisory Committee

Conservation Commission

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Diversity, Equity, and Inclusion Commission

Economic Development Commission

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Downtown Lebanon TIF Advisory Board

Heritage Commission

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Lebanon Airport-Tech Park TIF Advisory Board

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Library Board of Trustees

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Planning Board

--

West Lebanon Revitalization Advisory Committee

true

Lebanon Energy Advisory Committee

--

Pedestrian & Bicyclist Advisory Committee

--

Tree Advisory Board

--

Zoning Board of Adjustment

--

Interest to Volunteer

Briefly describe your qualifications and your reasons for seeking an appointment to this board/committee/commission

I have been coming to Lebanon and West Lebanon my entire life. My family has owned and operated several businesses in the area over the years, including Foodstop, a chain of video stores, and an ice cream shop. Following in that tradition, I chose to open my own business here because I truly value this community.

My family owns a parcel of land along the Main Street corridor in West Lebanon, where we currently operate NextHome Modern Realty, with an office located just off Main Street. Although I grew up in Grantham, I recently moved to Lebanon this past January and plan to make it my permanent home.

As both a member of a family invested in the area and as a local business owner, I believe I can bring a perspective that would be valuable to the committee. Additionally, as someone who is younger, motivated, and eager to serve, I would bring fresh energy and ideas that I believe could benefit the work of the committee.

Policy Acknowledgement

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-108, Ethics and Conflict-of-Interest for Elected and Appointed Officials.

true

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-104 and City Code Chapter 185, Welcoming Lebanon.

true

Signature

Basic Requirements to Volunteer on a Board/Committee/Commission:

Lebanon/West Lebanon resident (except for those boards/committees/commissions 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

I hereby certify that I meet the basic requirements for applying to a City of Lebanon board/committee/commission.

Signature

true

Councilor Interview Report Form

Councilor Name: Laurel Stavis
October 8, 2025

Date of Interview:

Applicant Name: Spenser Spenser
Molloy

Board(s) to Which Applied:
WLRAC

☒ Regular Seat ☐ Alternate Seat

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

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

Recommend Appointment: ☒ Yes ☐ No

☒ Regular Seat ☐ Alternate Seat

General Comments: _____ Spenser is a property owner on South Main Street in West Lebanon, so has a good perspective on what the area needs. He is young, energetic, enthusiastic and genuinely committed to downtown West Lebanon's future. During our conversation, he put forward several good ideas about how to engage existing business owners and the public. I think he would make an excellent addition to the WLRAC. _____

(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?

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?

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?

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?

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?

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

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

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

Specific Questions for Applicants to Land-Use Boards:

Zoning Board of Adjustment:

1) Have you ever appeared before a zoning board, personally or through a representative?

2) Do you have any personal or professional knowledge or background in the area of zoning law?

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4) Zoning Board decisions can be controversial. The Board is bound by law to work within the current zoning regulations. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

Planning Board:

1) Have you ever appeared before a planning board, personally or through a representative?

2) Do you have any personal or professional knowledge or background in the area of planning law?

3) Do you believe you can set aside your personal opinions and make impartial decisions based on the City's adopted site plan and subdivision regulations, as well as the Zoning Ordinance?

4) Planning Board decisions can be controversial. The Board is bound by law to work within the current site plan and subdivision regulations. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

Conservation Commission:

- 1) Have you ever appeared before a conservation commission, personally or through a representative?

- 2) The Conservation Commission's advisory role in New Hampshire environmental permitting can be controversial. Do you believe you can tolerate possible criticism from your friends and neighbors as a result of how you may have voted?

 Paul McDonough

Applicant Information

First Name

Paul

Last Name

McDonough

Contact Phone Number



Contact Email



Mailing Street Address



Mailing City, State, Zip



How long have you resided in Lebanon?

0-1 Year

--

2-5 years

6-15 years

--

true

15 or more years

--

Board/Committee/Commission Information

Is this application for a reappointment?

Yes, this is for reappointment.

true

No, this is not for a reappointment.

For which board, committee, or commission are you applying?

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Arts & Culture Commission

Board of Cemetery Trustees

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Class VI Roads Advisory Committee

Conservation Commission

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Diversity, Equity, and Inclusion Commission

Economic Development Commission

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Downtown Lebanon TIF Advisory Board

Heritage Commission

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Lebanon Airport-Tech Park TIF Advisory Board

Lebanon Energy Advisory Committee

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Library Board of Trustees

Pedestrian & Bicyclist Advisory Committee

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Planning Board

Tree Advisory Board

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West Lebanon Revitalization Advisory Committee

Zoning Board of Adjustment

--

true

Interest to Volunteer

Briefly describe your qualifications and your reasons for seeking an appointment to this board/committee/commission

Reappointment

Policy Acknowledgement

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true

If appointed as a member of a City of Lebanon Board, Committee or Commission, I acknowledge I have read and understand City Council Policy, CC-104 and City Code Chapter 185, Welcoming Lebanon.

true

Signature

Basic Requirements to Volunteer on a Board/Committee/Commission:

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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

I hereby certify that I meet the basic requirements for applying to a City of Lebanon board/committee/commission.

Signature

true

Agenda Lebanon City Council November 5, 2025

10. Public Hearing Items:

10.A – Ordinance #2025-12, Proposed Amendments to or Repeal of City Code Chapter 185, Welcoming Lebanon

A public hearing for the purpose of receiving public input and taking action on proposed Ordinance #2025-12, to amend or repeal City Code Chapter 185, Welcoming Lebanon, to ensure compliance with applicable laws that will take effect on January 1, 2026.

The City Council scheduled this public hearing at its October 15, 2025 regular meeting. The public hearing was properly noticed in the *Valley News* on October 25, 2025 in accordance with City Code and State Law.

Background

In March 2020, Lebanon voters passed the “Welcoming Lebanon” ordinance, which began through a binding referendum process in October 2019.

In May 2020, the City Council established the Fair and Impartial Policing Task Force to study and propose amendments to the ordinance in an effort to make it compliant with then-applicable federal and state laws, rules, and regulations, while maintaining the intent and purpose of the ordinance as adopted by voters. The resulting language was adopted by the City Council through Ordinance #2020-19 on December 7, 2020, as City Code Chapter 185, Welcoming Lebanon, which took effect on January 1, 2021.

On July 21, 2025, new state legislation (Laws of 2025, Chapter 38 - Senate Bill 62) took effect, which prohibits municipalities from barring local police departments from applying for entry or entering into agreements with U.S. Immigration and Customs Enforcement (ICE) to participate in federal 287(g) programs pursuant to 8. U.S.C. §1357(g). Section 2 of SB 62 goes into effect on January 1, 2026, and will prohibit local municipalities from prohibiting or impeding a state or federal law enforcement agency from complying with Title 8 of the U.S. Code, which covers immigration and immigration enforcement. Any local government that violates this provision may be subject to a civil complaint brought by the NH Attorney General and could be subject to punitive damages of up to 25 percent of the total state funds received by the local government in the fiscal year when the violation occurred.

Also on January 1, 2026, related legislation (Laws of 2025, Chapter 39 – House Bill 511) will take effect, which will prohibit any unit of local government from having a “sanctuary policy” that impedes a law enforcement agency from complying with 8. U.S.C. §1357, or which impedes a local law enforcement agency from communicating or cooperating with a federal immigration agency on a variety of issues.

Attached is a document prepared by the New Hampshire Municipal Association that summarizes and provides guidance on interpreting the new laws. Based on the enacted legislation, it appears the existing language of Chapter 185, if left unchanged or unrepealed, would violate the new laws when they take effect on January 1, 2026.

In September, the City's DEI Commission held a discussion about potential amendments to Chapter 185, as well as a related proposed resolution, both of which are included with the agenda materials. At the conclusion of its discussion, the DEI Commission approved the following motion:

A MOTION by Richard Ford Burley that the DEI Commission recommends to the City Council the following: that they (a) make due consultation with legal counsel in order to redraft City Code Chapter 185, Welcoming Lebanon, to preserve as many protections as possible for the community members of the City of Lebanon, without violating state law; and (b) that the passage of such revisions be contingent upon the passage of the presented Commitment to Community Resolution; and (c) that the passage of such changes should come with a provision that Chapter 185 shall automatically revert to the present language upon the reversal of any laws preventing it by court order or subsequent legislation.

On October 15th, the City Council scheduled this public hearing to discuss either amendments to or repeal of the existing language of City Code Chapter 185, Welcoming Lebanon, to ensure compliance with applicable laws that will take effect on January 1, 2026. In connection with the public hearing, two alternate versions of proposed Ordinance #2025-12 have been prepared – Option 1a outlines potential amendments to the existing language of Chapter 185, while Option 1b would delete and repeal the existing language of Chapter 185 in its entirety. In accordance with City Code Chapter 115-3, the City's attorney has provided a legal opinion as to the authority and validity of each alternate version of proposed Ordinance #2025-12.

Action:

Should the City Council decide to move forward with either version of Ordinance #2025-12 as proposed, the following motion is offered for consideration:

MOVED, that the Lebanon City Council hereby adopts Option __ of Ordinance #2025-12, to (amend / repeal) City Code Chapter 185, Welcoming Lebanon, as presented in the November 5, 2025 City Council agenda packet, to ensure compliance with applicable laws that will take effect on January 1, 2026.

Included in this Section:

1. Proposed Ordinance #2025-12 (two alternative versions), including:
 - "Draft Option 1a: to Amend Chapter 185", including proposed redline edits as reviewed by the DEI Commission; or
 - "Draft Option 1b: to Repeal Chapter 185"
2. Draft City of Lebanon Commitment to Community Resolution, as reviewed by the DEI Commission
3. NH Municipal Association document issued July 16, 2025, re: "Guidance on SB 62 and HB511, Cooperation with Federal Immigration, Prohibiting Sanctuary Cities Policies"
4. October 27, 2025 Legal Opinion from Attorney Matthew Decker
5. Notice of Public Hearing as Published in the October 25, 2025 edition of the *Valley News*

CITY OF LEBANON
ORDINANCE #2025-12

AN ORDINANCE TO AMEND the Code of the City of Lebanon ~~by adding a new~~ Chapter 185, ~~to be~~ entitled WELCOMING LEBANON, which provides for the procedures concerning residents' ~~immigration~~ protected status and responsibilities within the City of Lebanon and powers regarding federal civil ~~immigration~~ enforcement.

Be it ordained by the City Council of the City of Lebanon as follows:

Section 1.

The “Welcoming Lebanon Ordinance” which was enacted by the voters of the City by citizen initiative pursuant to §C419:23a of the City Charter, and which as to take effect on January 1, 2021, is hereby repealed and replaced by adding a new chapter to the Code of the City of Lebanon to become Chapter 185, Welcoming Lebanon, and to read as follows:

- §185-1. Purpose/Intent
- §185-2. Definitions
- §185-3. Provisions
- §185-4. Implementation and Enforcement

§185-1. PURPOSE/INTENT

The people of Lebanon voted by Citizens’ Initiative Ballot measure to enact the Welcoming Lebanon Ordinance. The purpose of this Ordinance is to establish the City's procedures concerning its residents’ immigration status and its responsibilities and powers regarding federal civil immigration enforcement.

This Ordinance gives substance to the sentiments in the City of Lebanon’s “Resolution for Inclusiveness” proclaimed by the City Council on June 20, 2018 and commits the City to preserve the public trust, affirm human rights and constitutional rights, and promote community identity, civic pride, and quality of life for all people regardless of race, skin color, national or ethnic origin, cultural group, language, gender identity or expression, sexual orientation, mental or physical ability, age, religious or political opinion or activity, economic status, immigration status, or housing status. The City of Lebanon commits to protecting civil liberties, promoting tolerance, and providing equal protection under the law to all persons in the city. Such protections strengthen trust and collaboration among community members in keeping all residents and visitors safe.

Furthermore, the City recognizes that a person’s presence in the United States without documents is a civil, not a ~~crime-criminal matter~~ and that ~~the City presently lacks the enforcement of noncriminal civil violations of federal immigration law are the responsibility and obligation of Federal agencies.~~ legal authority to enforce noncriminal civil violations of federal immigration law.

Due to the City's limited resources; the complexity of immigration laws; the clear need to foster the trust of and cooperation from the public, including members of the immigrant communities; and to effectuate the City's goals, we find that there is a need to articulate guidelines regarding the relationship between the City and the federal government and to clarify the federal Constitutional

protections Lebanon has ~~against~~related to federal agencies commandeering its resources.

§185-2. DEFINITIONS

As used in this ordinance, the following words and phrases shall mean and include:

ADMINISTRATIVE WARRANT - An immigration warrant issued by a federal agency charged with the enforcement of civil immigration laws, used as a non-criminal, civil warrant for immigration purposes.

AGENCY – Includes every department, agency, division, commission, council, committee, board, or other body of the City of Lebanon established by authority of state law, the Lebanon City Charter, or an ordinance, executive order, or order of the Lebanon City Council.

AGENT - Any person employed by or acting on behalf of an Agency, whenever any such person is acting within the scope of that person’s employment or agency capacity, or when utilizing or disclosing any information that may be learned in the course of that person’s employment or agency capacity. The term includes any volunteer acting on behalf of an Agency, as well any person with access to Agency information which is not available to the general public.

CITIZENSHIP OR IMMIGRATION STATUS - All matters regarding questions of citizenship of the United States or any other country or of the authority to reside in or otherwise be present in the United States.

FEDERAL IMMIGRATION AUTHORITIES – Includes federal agencies, departments, or employees tasked with enforcement of immigration law and border, entry, including without limitation, the Department of Homeland Security (DHS), Immigration Control and Enforcement (ICE), and U.S. Customs and Border Patrol (CBP).

IMMIGRATION DETAINER - An official request issued by ICE, or another federal agency charged with the enforcement of civil immigration laws concerning the custody or detention of any individual based on a violation of a civil immigration law.

PHYSICAL OR MENTAL ABILITY - Includes, but is not limited to, “disability” as defined in RSA 354-A:2, IV.

§185-3. PROVISIONS

1. No law enforcement agent or other agent or agency of the City of Lebanon, shall profile, target, detain, or otherwise discriminate against any person ~~because~~solely on the basis of any of the following, whether actual or perceived: age, sex, gender identity, race, creed, color, marital status, familial status, physical or mental ability, national origin, sexual orientation, ethnicity or culture, language or religion, economic or housing status, or citizenship or immigration status. Any civil detention requested of the City of Lebanon by State and/or Federal agencies must be requested through an appropriately filed and fully executed warrant.
2. No person shall be questioned in a manner which is biased or discriminatory, as described in Provision 1, and no personal information may be collected, retained, utilized, or disclosed in

any discriminatory manner or to any discriminatory purpose or effect by any agent or agency of the City.

3. No agent or agency of the City of Lebanon shall request, collect, or retain information about, or otherwise investigate or assist in the investigation of the United States citizenship or immigration status of any person in the City of Lebanon. ~~-This section shall apply not apply to the Lebanon Police Department or any staff of the department operating under the policies of the police department~~ only to the extent allowed under State and Federal law. ~~to the extent required by RSA 106-P.~~

4. No agent or agency of the City shall disclose information regarding the U.S. citizenship or immigration status of any person, except in the following circumstances:

- a. Such disclosure has been authorized in writing by the individual to whom such information pertains, or if such individual is a minor or is otherwise not legally competent, by the individual's parent or guardian.
- b. Such disclosure has been requested by Federal Authorities through an appropriately filed and fully executed Right To Know Request under RSA 91-A or other lawful process.
- c. This section shall apply only to the extent allowable under State and Federal law and/or governed by Provision 5.

5. In addition to Provisions 3 and 4, any agent or agency of the Lebanon Police Department shall be governed by the following provisions:

- a. No agent or agency of the Lebanon Police Department shall themselves request, collect, or retain information about the immigration status of any person in the City of Lebanon, except to the extent that such information is received by the Lebanon Police Department as part of a routine background investigation.
- b. Any transmission and/or sharing of information by the Lebanon Police Department with Federal Agencies shall only be performed after the receipt of the appropriate and fully executed Right to Know Request and/or Warrant, unless such transmission occurs as a result of running a routine background investigation.
- c. Notwithstanding the above, the Lebanon Police Department or any staff of the department operating under the policies of the police department shall be exempted from Provision 5 to the extent necessary to comply with State and Federal law.

~~3.~~

~~4. No agent or agency of the City shall disclose information regarding the U.S. citizenship or immigration status of any person, unless such disclosure has been authorized in writing by the individual to whom such information pertains, or if such individual is a minor or is otherwise not legally competent, by the individual's parent or guardian. This section shall not apply to the Lebanon Police Department or any staff of the department operating under the policies of the police department to the extent required by RSA 106-P.~~

5.6. Notwithstanding Provisions 1-4 above, agents of the City may question about, collect, retain, utilize, and disclose information concerning the criteria listed in Provisions 1-4 in the following circumstances, as long as that is done on an impartial basis and in a non-

discriminatory manner and as long as no agent of the City provides or requests any of this information from federal immigration authorities.

- A. Where collection, retention, utilization, or disclosure of the specific information is mandated in order to implement a municipal program, process, or function which is performed by the City unrelated to the enforcement of federal immigration law, but whose rules and parameters are imposed by state or federal law or authority, including but not limited to federal and state laws governing employment and elections.
- B. Where collection, retention, utilization, or disclosure of the specific information is required by statute or court order, or where the specific information constitutes an essential evidentiary element in an ongoing investigation or prosecution of a violation of law unrelated to civil immigration law or citizenship status.
- C. Where the information is being collected or retained solely for purposes of evaluating and improving the performance of the Police Department or other City agency with respect to its compliance with the impartiality and non-discrimination requirements of Provision 1 and 2 above.
- D. Where relevant economic information is being collected, retained, or utilized in the course of administering a program of benefits based on financial need, including but not limited to general assistance under RSA Ch. 165.

~~6.7.~~ No Agent or Agency shall condition the provision of City of Lebanon benefits, opportunities, or services on matters related to citizenship or immigration status unless required to do so by statute, federal regulation, or court decision. Where presentation of a New Hampshire driver's license or identification card is accepted as adequate evidence of identity, presentation of a photo identity document issued by the person's nation of origin, such as a driver's license, passport, or matricula consular (consulate-issued document), shall be accepted and shall not subject the person to a higher level of scrutiny or different treatment than if the person had provided a New Hampshire driver's license or identification card, except that this subsection shall not apply to the completion of the federally mandated 1-9 forms.

~~7.8.~~ No Agent or Agency of the City of Lebanon, ~~inexclusing Law Enforcement to the extent~~ except to the extent- required by State and Federal law ~~the provisions of RSA 106-P,~~ shall aid or participate in immigration enforcement actions. An Agent or Agency is authorized to communicate with Federal immigration authorities in order to determine whether any matter involves enforcement based solely on a violation of a civil immigration law, other than to the extent required by the provisions of RSA 106-P State and Federal law. No Agent or Agency shall, except to the extent required by State and Federal law:

- A. arrest, detain, or continue to detain a person based solely on suspected or actual civil immigration violation.
- B. arrest, detain, or continue to detain a person on an Administrative warrant or upon an Immigration detainer based solely on a violation of immigration law.

C. accept requests by Federal immigration authorities to support or assist in operations that are for civil immigration enforcement.

~~D. permit Federal immigration authority access to a person being detained by, or in the custody of, the Agent or Agency.~~

~~E.~~D. permit Federal immigration authorities use of agency facilities for investigative interviews or other investigative purpose.

~~F.~~ respond to Federal immigration authorities' inquiries or share information about an individual with Federal immigration authorities, except in the event that such disclosure has been requested by Federal Authorities through an appropriately filed and fully executed Right To Know Request under RSA 91-A, Warrant, or other authorized and documented legal channel. Such information includes but is not limited to the individual's custody status, release date/time, court dates, whereabouts, residence, employment, identification numbers, appearance, telephone number, and familial relations. For the purpose of aiding an individual who may qualify for a U, S, or T Visa, information may be shared if such disclosure has been authorized in writing by the individual to whom such information pertains. Nothing in this Section shall be construed as prohibiting participation in an inter-agency data-bases such as the National Crime Information Center, so long as its utilization by City agents is not biased or discriminatory and does not violate the prohibitions in Provisions 3 and 4 above. ~~Nothing in this section shall prohibit the Lebanon Police Department or staff of the department to the extent required from complying with the provisions of RSA 106 P.~~

~~8.9.~~ In order to maintain public safety and the orderly processes for all persons traveling in and through the City of Lebanon, if the City Manager or someone acting on the City Manager's behalf learns of a delay or obstruction in the City of the normal flow of traffic including, ~~for example, due to a Federal immigration authority checkpoint,~~ the City Manager or someone acting on the City Manager's behalf shall make a reasonable effort to confirm that one exists and then cause the public to be promptly notified which may be done through the LebAlert system.

§185-4. IMPLEMENTATION AND ENFORCEMENT

A. Failure by agents of the City to comply with the Welcoming Lebanon Ordinance shall be addressed under the terms of the City's policies.

B. Any person who believes that they have been subjected to a violation of this Ordinance by a City employee, or who otherwise has personal knowledge of such a violation, may submit a complaint in whatever form or manner the complainant chooses, to the employee or department involved, or to the City Manager, and may submit such a complaint anonymously. Reasonable efforts shall be made to accommodate any language or access barriers. Such complaints shall be handled in accord with applicable City complaints and investigations policies; provided, however, that at the discretion of the Manager, the complaint may be referred to the appropriate law enforcement agency having jurisdiction, and any internal investigation may be delayed pending the outcome of the law enforcement agency's involvement.

- C. Complaints alleging violations of this Ordinance by non-employee agents of the City, including appointed or elected officials, shall be filed with or forwarded to the City Manager, who may take such action as is appropriate in light of the nature of the complaint, including referral to the law enforcement agency having jurisdiction, and/or referral to the Council for such action as it deems justified.
- D. This Ordinance shall not be construed to create any civil cause of action or any cause of action under the criminal code or to form any basis of liability on the part of the City or its agents. Nothing herein shall be deemed to pre-condition or restrict any person from pursuing a complaint in court or from seeking such alternative remedies as may be available under law.

Section 2. Severability

The provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this ordinance. [Such severability shall also apply to the extent required by State and Federal law.](#)

Section 3. Effective date.

This [amended](#) ordinance shall become effective January 1, 202~~6~~⁴

**CITY OF LEBANON
ORDINANCE #2025-12**

AN ORDINANCE TO AMEND the Code of the City of Lebanon by deleting and repealing Chapter 185, Welcoming Lebanon, in its entirety.

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 by deleting and repealing Chapter 185, Welcoming Lebanon.

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

Section 3. Effective Date

This Ordinance shall become effective as of December 31, 2025.

DRAFT City of Lebanon Commitment to Community Resolution

A Resolution Affirming the City's Commitment to the Diversity and Belonging of all its residents, and opposing Discrimination

WHEREAS the City of Lebanon recognizes the inherent dignity and equality of all people regardless of race, skin color, national or ethnic origin, cultural group, language, gender identity or expression, sexual orientation, mental or physical ability, age, religious or political opinion or activity, economic status, immigration status, or housing status, including immigrants, BIPOC residents, Indigenous peoples, religious minorities, LGBTQ+ individuals, people with disabilities, and others who have historically faced exclusion and discrimination; and

WHEREAS the City of Lebanon has long been a community that values compassion, civic responsibility, and social justice, and has benefited socially, culturally, and economically from the contributions of diverse populations, regardless of their place of origin; and

WHEREAS recent legislation passed by the State of New Hampshire prohibits municipalities from enacting or enforcing certain anti-discrimination ordinances, limiting the autonomy of local governments to adopt policies that protect vulnerable communities and forcing the rescission of Lebanon City Code, Chapter 185, Welcoming Lebanon, undermining Lebanon's capacity to safeguard its residents from racial profiling, wrongful detention, and fear-based policing, particularly among immigrant and undocumented populations; and

WHEREAS the City of Lebanon refuses to be complicit in the erosion of civil liberties and affirms its responsibility to challenge discriminatory state policies and advocate for humane treatment of all individuals, regardless of immigration status;

NOW, THEREFORE, BE IT RESOLVED that the City of Lebanon, New Hampshire, opposes any policy that limits the City's ability to protect its residents from racial profiling, immigration-related discrimination, or collaboration with federal immigration enforcement without judicial oversight;

Affirms that no employee of the City of Lebanon shall profile, target, or otherwise discriminate against any person because of any of the following, whether actual or perceived: age, sex, gender identity, race, creed, color, marital status, familial status, physical or mental ability, national origin, sexual orientation, ethnicity or culture, language or religion, economic or housing status, or citizenship or immigration status;

Reasserts its intention to express moral leadership and uphold human rights, even in the face of restrictive or unjust state policies;

Instructs all city departments to continue fostering inclusive and non-discriminatory environments and to prioritize public safety policies that build trust with marginalized communities, including by declining to collect, retain, or utilize personal information in a discriminatory manner or to a discriminatory effect, except as mandated in order to implement a municipal program or to comply with state and federal laws;

Will work in partnership with local and regional organizations to monitor the impacts of discriminatory state and federal legislation and pursue legal and legislative remedies to challenge or overturn it if appropriate.

Will establish a subcommittee of the Lebanon Diversity, Equity, and Inclusion Committee, composed of residents from diverse backgrounds including immigrants, to serve the following purposes:

1. Seek or provide support for immigrant members of our community, including navigating resources and services (legal, housing, and human services) in the City,
2. Serve as a complaint review board for discrimination complaints,
3. Provide regular equity reports to the City Council, documenting the city's efforts to mitigate harm, promote safety, and ensure equal treatment for all communities,
4. Recommend policy changes and advise on anti-discrimination practices;

Will support education campaigns to inform the public about their rights and the city's policies concerning discrimination, inclusion, and civic participation.

BE IT FURTHER RESOLVED that while Lebanon must comply with the letter of state law, it will do so without surrendering its moral and ethical obligation to protect human rights, and without participating in or facilitating any acts of hate, fear, or exclusion.

Guidance on SB 62 & HB 511

Cooperation with Federal Immigration

Prohibiting Sanctuary Cities Policies



Chapter 38 – SB 62

Section 1 of SB 62 goes into effect on July 21, 2025. This new law, RSA chapter 106-P, will prohibit municipalities from barring local police departments from applying for entry or entering into an agreement with the U.S. Immigration and Customs Enforcement (ICE) to participate in a federal 278 (g) program pursuant to 8. U.S.C. §1357 (g).

These agreements are a voluntary, formal agreement between a local law enforcement agency and federal immigration authorities (ICE) granting authority to perform certain immigration enforcement actions. An example of a 278 (g) agreement is the one recently signed by the [NH State Police and ICE on April 25, 2025](#). Thus, even though in a town, the select board supervises the operations of the police department through its police chief by the adoption of written formal policies under RSA 105:2-a, a select board could not adopt a policy or directive that would prohibit the police chief on behalf of the police department from entering into a 278 (g) agreement with ICE.

Section 2 of SB 62 goes into effect on January 1, 2026, and prohibits local political subdivisions from prohibiting or impeding a state or federal law enforcement agency from complying with Title 8 of the US Code, which includes every federal law pertaining to immigration and immigration enforcement. Any local government that violates this provision may be subject to a civil complaint brought by the Attorney General and could be subject to punitive damages of up to 25% of the total state funds received by the local government entity in the fiscal year when the violation occurred.

Section 3 of SB 62 permits County Departments of Corrections to maintain custody over persons subject to an ICE detainer for a period of 48 hours after resolution of state charges to permit assumption of custody by federal authorities.

Chapter 39 – HB 511

This law goes into effect on January 1, 2026. It prohibits any unit of local government (town, cities, village districts) from having a sanctuary policy that impedes a law enforcement agency from complying with 8 U.S.C. section 1373¹, or which impedes a local law enforcement agency from communicating or cooperating with a federal immigration agency that would prohibit the agency from:

¹ § 1373. Communication between government agencies and the Immigration and Naturalization Service

- (a) Complying with an immigration detainer;
- (b) Complying with a request from a federal immigration agency to notify the agency before the release of an inmate or detainee in the custody of the law enforcement agency;
- (c) Providing a federal immigration agency access to an inmate for interview;
- (d) Participating in any program or agreement authorized under section 287 of the Immigration and Nationality Act, 8 U.S.C. section 1357; or
- (e) Providing a federal immigration agency with an inmate's incarceration status or release date.

This law further requires all local law enforcement agencies to comply with immigration detainers. An immigration detainer is defined as a facially sufficient written or electronic request issued by a federal immigration agency using that agency's official form to request that another law enforcement agency detain a person based on probable cause to believe that the person to be detained is a removable alien under federal immigration law.

In addition, no local government entity shall restrict a law enforcement agency from sharing information about persons who are in custody such as:

- (a) Sending the information to or requesting, receiving, or reviewing the information from a federal immigration agency for the purposes of this chapter.
- (b) Recording and maintaining the information for purposes of this chapter.
- (c) Exchanging the information with a federal immigration agency or another state entity, local governmental entity, or law enforcement agency for purposes of this chapter.
- (d) Using the information to comply with an immigration detainer.
- (e) Using the information to confirm the identity of a person who is detained by a law enforcement agency.

The Attorney General can enforce this statute through declaratory judgment and seek injunctive relief.

(a) In general. Notwithstanding any other provision of Federal, State, or local law, a Federal, State, or local government entity or official may not prohibit, or in any way restrict, any government entity or official from sending to, or receiving from, the Immigration and Naturalization Service information regarding the citizenship or immigration status, lawful or unlawful, of any individual.

(b) Additional authority of government entities. Notwithstanding any other provision of Federal, State, or local law, no person or agency may prohibit, or in any way restrict, a Federal, State, or local government entity from doing any of the following with respect to information regarding the immigration status, lawful or unlawful, of any individual:

(1) Sending such information to, or requesting or receiving such information from, the Immigration and Naturalization Service.

(2) Maintaining such information.

(3) Exchanging such information with any other Federal, State, or local government entity.

(c) Obligation to respond to inquiries. The Immigration and Naturalization Service shall respond to an inquiry by a Federal, State, or local government agency, seeking to verify or ascertain the citizenship or immigration status of any individual within the jurisdiction of the agency for any purpose authorized by law, by providing the requested verification or status information.⁸ U.S.C.S. § 1373 (LexisNexis, Lexis Advance through Public Law 119-14, approved May 23, 2025)

October 27, 2025

David Brooks, Deputy City Manager
City of Lebanon
51 N. Park Street
Lebanon, NH 03766
david.brooks@lebanonnh.gov

RELEASED TO THE PUBLIC
Lebanon City Manager's Office

Date: 10/28/2025



RE: Proposed Amendments to City Code Chapter 185

Mr. Brooks:

My firm is legal counsel to the City of Lebanon. This is a legal opinion as required by City Code §115-3 concerning two proposed amendments to City Code Chapter 185, the “Welcoming Lebanon” ordinance, as follow:

- Draft Amendment 1a – edit and revise Chapter 185 as shown by a tracked changes red-line included in the City Council agenda packet for the Council’s October 15, 2025 meeting, at item 11.C.
- Draft Amendment 1b – repeal Chapter 185 in its entirety.

I have reviewed Item 11.C from the City Council’s October 15, 2025 agenda packet, which provides a background explanation for the proposed amendments to Chapter 185, and a copy of the draft redline. I have also reviewed the text of a version of draft ordinance #2025-12 that would repeal Chapter 185 in its entirety. I understand both of these documents will be included in the Council’s agenda packet for its November 5 meeting.

City Code §115-3 requires the City Manager to “obtain and submit to the Council prior to [a] public hearing a legal opinion in writing as to the authority and validity of any new, proposed ordinance.”

With respect to Draft Amendment 1a, if the Council wishes to amend the Welcoming Lebanon ordinance without repealing it, then it is my legal opinion that some additional text revisions would be recommended prior to adoption in order to clarify compliance with recently-enacted state laws (RSA 106-Q and RSA 106-R).¹ I am available to assist the Council or its designee in further refining the draft, if desired.

With respect to Draft Amendment 1b, it is my legal opinion that a full repeal of Chapter 185 is within the Council’s authority and would be valid.

Please do not hesitate to contact me with any questions or concerns about this opinion.

Sincerely,



Matthew C. Decker

¹ For purposes of this letter, I am assuming that these laws are legally enforceable, without opining as to whether they may be subject to a successful court challenge.

October 27, 2025

The foregoing notice was published in the Valley News, a newspaper of general circulation in the City of Lebanon, in accordance with the City's code, on Saturday, October 25, 2025.

Jaseya Ewing

Jaseya Ewing
City Clerk



**LEBANON CITY COUNCIL
NOTICE OF PUBLIC HEARING**

Wednesday, November 5, 2025 - 6:00pm

Council Chambers, City Hall or

REMOTE VIA VIRTUAL PLATFORM

LebanonNH.gov/LIVE

The Lebanon City Council will hold a public hearing on November 5, 2025, beginning at 6:00pm for the following:

- A. Ordinance #2025-12** – A public hearing for the purpose of receiving public input and taking action to amend or repeal City Code Chapter 185, Welcoming Lebanon, to ensure compliance with applicable laws that will take effect on January 1, 2026.

The November 5, 2025 City Council agenda packet and documents pertaining to the above-described public hearing will be available on the City's website beginning October 31, 2025: LebanonNH.gov/Agendas

Meetings are open for in-person and remote attendance. Members of the public that wish to attend remotely may do so by going to LebanonNH.gov/Live where you will find instructions on how to enter the meeting. Members of the public will be able to participate and ask questions through the City's virtual platform or by phone. Please note: Should technical difficulties occur during the meeting that disrupts virtual or phone connection(s), the meeting will continue without remote access capabilities.

Agenda

Lebanon City Council

November 5, 2025

12. New Business:

12.A – Presentation and Discussion Regarding the 2025 Property Revaluation

Background

The continued inflation of property values, especially residential property values, has resulted in an equalization rate outside the parameters established by the NH Department of Revenue Administration. The equalization rate is the ratio between the market value of a property compared to the assessed value used by the City to levy property taxes. To ensure fair taxation of property, the equalization rate should be in the range of 90% to 110% with the goal of being as close to 100% as possible. As of April 2024, Lebanon's overall equalization rate was about 73%, which showed that assessments had fallen well below recent market prices.

As a result, the City contracted with Vision Government Solutions to conduct a 2025 Revaluation Study. The revaluation process is detailed in the PowerPoint presentation in this packet. The City also has a contract with Municipal Resources Inc. to conduct cyclical evaluations of properties. This cyclical process involves the inspection by field personnel of +/-20% of the City's properties on an annual basis. In the past, the City has planned to conduct revaluations of property every five years. However, that assumes the market rate for properties has remained within the equalization parameters discussed above. The recent volatility of the market has required more frequent revaluations of property. Depending upon the changes in the market for properties, additional revaluation of properties may be required within less than five years.

The changes in the market, especially for residential properties, has changed the proportional amount of the tax levy between residential versus commercial and industrial properties as articulated in the enclosed presentation. The shift in the proportion of total property valuation toward the residential sector and away from the commercial and industrial sectors means that the residential sector as a whole will assume a larger percentage of the total tax levy. This shift will result in increases to the amount of taxes owed by some residential property owners compared to commercial property owners. The actual impact on individual property owners will not be known until the tax rate is set by the NH Department of Revenue Administration, which should occur within the next few weeks.

Action

No Action is required by the City Council. This item is for informational purposes only.

Included In This Section:

1. 2025 Revaluation Process Presentation
2. NH Local Government Center article: "Property Tax: Understanding the Math, Dispelling the Myths"

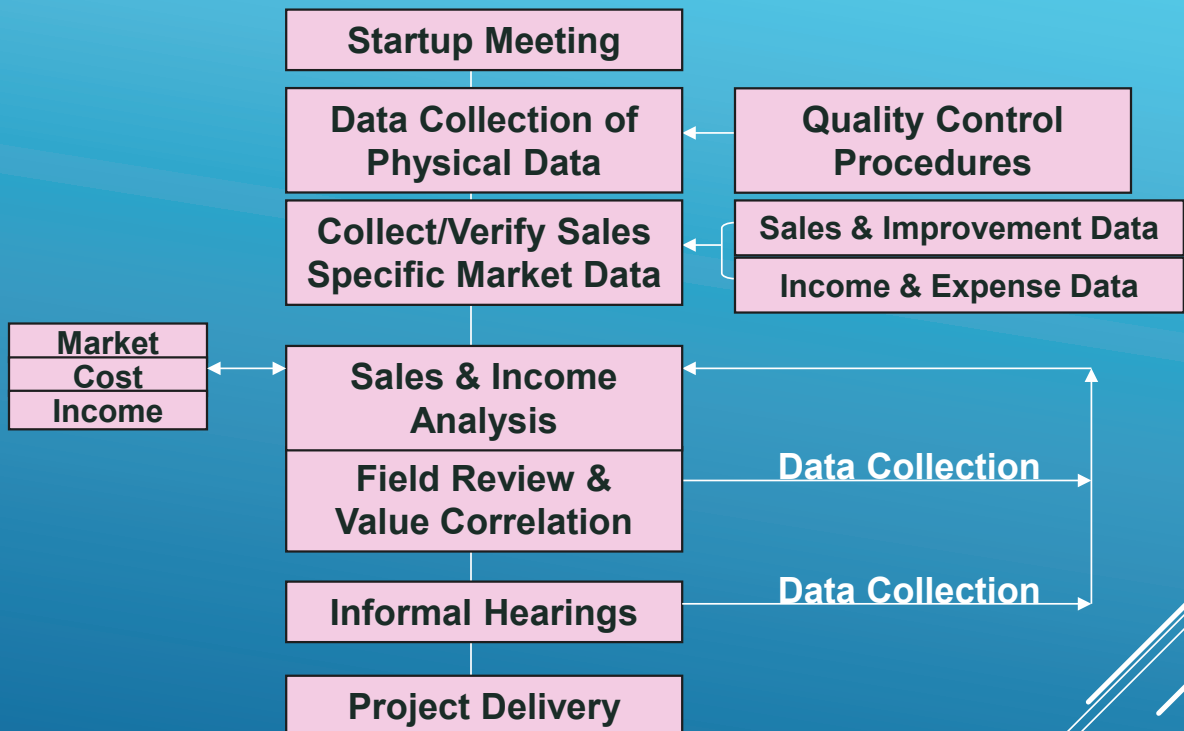
CITY OF LEBANON, NEW HAMPSHIRE 2025

REVALUATION PROCESS

STEVE WHALEN



REVALUATION FLOWCHART



BENEFITS OF A REVALUATION

- Corrects disproportionate taxation
- Adjusts values for market shifts
- Captures properties as they exist today
- Provides public process and transparency

DATA COLLECTION

- Vision Staff
 - Supervisor, sales data collection personnel, and field review Staff.
- Sales Listing Process
 - Complete exterior inspection of all valid sales including measuring of all the buildings on the property.
 - Interior inspection with all the information verified if the property owner allows it. Or the information is reviewed at the door, at the time of exterior inspection of the property.



DATA COLLECTION (CONTINUED) INCOME & EXPENSE INFORMATION

- Mailed questionnaires out to all commercial property owners requesting property related income and expense information
- Research publically available sources and commercial listing services for current rents in Lebanon only. For example, apartment complexes, self-storage, hotels etc.
- Research vacancy rates & capitalization rates within Lebanon only.

MARKET ANALYSIS

- In-Depth Study of all valid Lebanon Sales from: April 1st, 2024, to April 1st, 2025
- Income/Expense Information reviewed
- Review current construction costs for the City
- Determine Land Prices
- Determine Building Value and Depreciation
- Delineate Neighborhoods (location adjustments)
- Set Market Rents and Capitalization Rates
- Develop Computer Models Based On Market Data
- Statistically Test for Accuracy



VALUATION

- Three Approaches to Value
 - Sales Approach
 - Cost Approach
 - Income Approach (commercial properties only)
- Set Market Values as of 4/1/2025
- Review of All Values and data in the Field, checking for Accuracy, Consistency and Equity



PERCENT OF CHANGE FOR FY2025

- Single Family = +37%
- Multi-Family (2 family) = +32%
- Multi-Family (3 family) = +51%
- Residential Condos = +48%
- Vacant Residential Land = +21%
- Manufactured Housing = +95%
- Apartments (4 family +) = +42%
- Commercial Land & Bldg. = +17%
- Industrial land & Bldg. = +18%

HOW WILL THIS EFFECT PROPERTY TAXES?

- The City does not take in more or less taxes as a result of a revaluation
- Do not calculate your new value with the existing current tax rate
 - The new City Tax Rate will be set for the municipality this fall by the NHDRA.
- Tax Rate =
$$\frac{\text{Budgets} - \text{Income from other sources}}{\text{Total Assessed Value of Town}}$$

INFORMAL HEARING PROCESS

- Notification to Taxpayers of New Proposed Assessment
- Information will be available on the VGSI Website
- Informal Hearings Begin
- Discuss property data and value with the Taxpayer
- Valuation Review, inspection if necessary
- Change Notice sent out as a result of Hearings

PROJECT FINALIZATION AND DELIVERY

- Final Values are Set
- Valuation Reports finalized
- All final work products delivered to town
- Appraisal Report and Manual is completed and given to the municipality



Property Tax:

Understanding the Math, Dispelling the Myths

By Barbara T. Reid

The month of March, often described in terms of blustery weather patterns—“it comes in like a lion and goes out like a lamb”—is more aptly referred to by many as just plain old “mud season.” But the month of March also brings to mind other traditional images unique to northern New England: smoke rising from wooden sap houses, filling the air with the sweet scent of maple syrup; snow-laced crocuses opening their petals to the warming rays of an early spring sun; and, of course, the famous Norman Rockwell painting “Freedom of Speech,” which portrays the quintessential image of a traditional New England town meeting.

The convening of citizens at the annual meeting to conduct the town business at hand is a time-honored tradition in New Hampshire. One of the most important items on the agenda for that annual meeting is the adoption of the operating budget along with other appropriations necessary to pay for the services and improvements desired and expected by citizens. Whether that meeting takes place in March, April or May, and whether that meeting is conducted in the form of a traditional town meeting (as depicted in the Norman Rockwell painting) or through the official ballot voting process known as SB 2, or whether that business is conducted by town or city councilors serving as the elected representatives of the citizens, the adoption of the town or city budget establishes the foundation upon which property tax bills will be based many months from now, when leaves are no longer budding, but falling.

...the adoption of the town or city budget establishes the foundation upon which property tax bills will be based....

Property taxes—the bill that so many love to hate! It’s a large bill that arrives only once or twice each year, and the property tax rate, as well as the actual amount of tax on a particular property, is not known until long after the budget has been adopted. This often results in a significant disconnect between the spending priorities adopted in the spring and the tax bill that arrives in November or December.

TOTAL TAX

PROPERTY TAX *from page 9*

The property tax system is the primary method of financing local governments in New Hampshire and, therefore, worthy of attention to dispel some of the myths and misconceptions associated with it. So how do budget appropriations, assessed value, exemptions, equalization and tax rate all work together to produce the bottom line figure on the tax bill that every property owner must pay? We will start with the basic formula, and then discuss each component in more detail.

Setting the Tax Rate

Every fall, the Department of Revenue Administration (DRA) compiles all the information necessary to certify property tax rates for each municipality, reviewing all appropriations voted on in the spring and all revenues expected. That information is then used in the formula below to calculate the local property tax rate:

$$\frac{\text{Voted Appropriations} \text{ minus } \text{All Other Revenue}}{\text{Assessed Property Value}} = \text{Rate}$$

Multiply the rate by 1,000, and you get the property tax rate per \$1,000 of property value, which is how the rate is usually stated.

By law, the property tax bill must show the assessed value of the property along with the tax rates for each component of the tax: municipal, local education, state education, county and village district (if any). Most municipalities receive the certified tax rates from DRA by mid-November, issuing bills that are then due in December—quite a while after the adoption of the budgets that established the basis for those property tax bills.

The amount of money which must be raised through taxes—appropriations minus all other revenue expected to

be received—is the major factor which drives the property tax rate. The value of property is the basis on which the tax money to be raised is apportioned to each property owner.

Appropriations and the Budget Process

Every property owner is responsible for paying a portion of the taxes necessary to operate various units of government (municipal, school district, county and village district, if any). Each municipality, school district, village district and county must draft a budget, hold public hearings on the proposal and submit the budget to the legislative body for adoption.

Who are these legislative bodies that approve the necessary appropriations? For a town, the town meeting is the legislative body which appropriates money to operate the town. The school district meeting does the same for the schools, and the village district meeting does the same for districts. For a city, or a town with a town council form of government, the council (or board of aldermen) votes on appropriations. The county delegation, comprising all the state representatives from the county, appropriates the money necessary to fund county government. These appropriations determine the amount of revenue that must eventually be raised by property taxes in order to fund municipal government, and each municipality's share of the school, state education and county budgets.

Valuing Property—The Appraisal Process

Property taxes are based upon the appraised value of property as of April 1 of each year. This means that the property tax bill, generally due in December, reflects the value of property on the previous April 1. By law, it is the responsibility of the selectmen to annually determine the appraised

value of the property within the municipality as of April 1. Most, if not all, municipalities rely on professionally trained assessors to fulfill this statutory responsibility.

Valuing property for property tax purposes is an ongoing process. Periodically, each municipality conducts a full revaluation of all property within the municipality. During a full revaluation, property is physically reviewed and then valued based upon the sale prices of other comparable properties or other approved appraisal methods. The goal of a revaluation is to appraise property at its “full and true” value, often referred to as “market” value.

A complete revaluation establishes base year property values, but is costly and time consuming and, consequently, is not conducted every year. In the years following a revaluation, assessors perform updates in order to maintain proportionality between the properties in the municipality. They add to the tax rolls what are known as “pick-ups,” for example, new construction and other changes to properties. Depending on the amount of change reflected in recent sales prices and other market conditions, assessors may perform statistical updates, where values are adjusted either up or down based on market data, using a process beyond the scope of this article.

...assessors strive to ensure that property within the municipality is appraised proportionally as required by the New Hampshire Constitution, so that each property owner bears their proportionate share of the property tax based upon the value of their property—no more and no less.

Through revaluations and updates, assessors strive to ensure that property within the municipality is appraised **proportionally** as required by the New Hampshire Constitution, so that each property owner bears their proportionate share of the property tax based upon the value of their property—no more and no less.

Proportionality

A frequent area of misunderstanding is the importance of assessing property values proportionally. It is not as important whether property is assessed at, above or below market value, as it is that values are proportional.

To explain the concept of proportionality, let's look at the examples below. For the following scenarios, there are only two taxable properties in the town, the properties are very similar

in all respects, and the legislative body has approved a \$10,000 budget to fund town services, all of which will come from property taxation.

Scenario 1: Both properties have a market value of \$250,000 as well as an assessed value of \$250,000, for a total town-wide assessed value of \$500,000. With taxes to be raised of \$10,000, the tax rate would be \$20 per \$1,000 of valuation ($10,000 \div 500,000 \times 1,000$). Since there are only two properties and they have the same assessed value, the tax burden would be shared equally: each property would owe \$5,000 in property taxes.

Scenario 2: The town budget remains the same at \$10,000, but the market has declined since last year so that the *market* value of each property is now \$225,000. However, the *assessed* value

on each property remains unchanged at \$250,000. What is the impact of over-assessing these properties compared to market value? None—there is no tax impact, because the **proportionality** between the properties did not change; both properties declined in market value by the same amount. With taxes to be raised of \$10,000 and a town-wide assessed value of \$500,000, the tax rate would remain \$20 per \$1,000 of valuation and each property would again owe \$5,000 in property taxes.

Scenario 3: The outcome is the same when the market value of the properties increases above the assessed value, in this case to \$275,000.

These three scenarios demonstrate that it is not as important that the assessed value of each property is at, above or below market value, as that the assessed value of the two properties remains **proportional**. In this simple example, because the assessed value of the properties remained proportional, each property's share of the tax burden was 50 percent, or \$5,000, regardless of how the assessed values compared to market value.

What happens when one of these properties changes in value, but the other does not? Assume the market value of one of the properties dropped while the other property maintained its value, such as happened several years ago when the market for condominiums fell sharply. The condo, which once had a market value of \$250,000, now has a market value of \$200,000. If the assessed value of the condo remains at \$250,000, both of these properties still would owe \$5,000 in property taxes, even though the market value of the condo is \$50,000 lower. This would leave the condo owner paying more than his or her fair share of the tax burden because the market value of the condo is less than the market

SCENARIO 1			TOTAL
	MARKET VALUE	\$250,000	
	ASSESSED VALUE	\$250,000	
	TAX RATE	\$20/\$1,000 of value	
	TAX BILL	\$5,000	
		TOTAL	
MARKET VALUE	\$250,000		
ASSESSED VALUE	\$250,000		
TAX RATE	\$20/\$1,000 of value		
TAX BILL	\$5,000		
\$10,000			

SCENARIO 2			TOTAL
	MARKET VALUE	\$225,000	
	ASSESSED VALUE	\$250,000	
	TAX RATE	\$20/\$1,000 of value	
	TAX BILL	\$5,000	
		TOTAL	
MARKET VALUE	\$225,000		
ASSESSED VALUE	\$250,000		
TAX RATE	\$20/\$1,000 of value		
TAX BILL	\$5,000		
\$10,000			

SCENARIO 3			TOTAL
	MARKET VALUE	\$275,000	
	ASSESSED VALUE	\$250,000	
	TAX RATE	\$20/\$1,000 of value	
	TAX BILL	\$5,000	
		TOTAL	
MARKET VALUE	\$275,000		
ASSESSED VALUE	\$250,000		
TAX RATE	\$20/\$1,000 of value		
TAX BILL	\$5,000		
\$10,000			

PROPERTY TAX *from page 11*

value of the other property. Assessors can correct this **lack of proportionality** by using a statistical update. The assessor reduces the assessed value of the condo to reflect its drop in market value and to make it **proportional** to the other property. Now, both properties will be assessed at market value and both will pay only their proportionate share of the tax burden.

The Assessing Process

The assessing process includes the application of statutory exemptions and credits to the appraised values of properties. An exemption is a reduction in the appraised value of a particular property. A credit is a reduction from the tax bill on a particular property. The most common property tax exemptions are for property owned and used for governmental, religious, charitable, educational and other special purposes (for example, the solar exemption), as well as exemptions for elderly homeowners. The most common property tax credit is for veterans and their surviving spouses.

One of the misconceptions about property tax exemptions and credits is the effect that these have on the amount of taxes to be raised. Granting exemptions and credits for any purpose does not change the amount of property taxes that need to be raised—it merely shifts the responsibility for payment. While the exemption may benefit a particular property or one segment of the population, it will lower the tax base, resulting in a higher tax rate and increased taxes for those properties not eligible for the exemption. The same is true with property tax credits: if one property qualifies for a credit and, therefore, pays less in property taxes, then the amount of that credit must be made up by the taxes assessed on other properties.

Does adding value to the property tax base bring in more tax revenue?

Example 1: What is the effect of adding property value in the municipality? Starting with the two properties each valued at \$250,000, assume now that improvements are made to one of the properties, for example, the addition of a two-car garage with a family room above, which adds \$50,000 to the value of the property. The assessors would add this “pick-up” to the tax base, resulting in a new total town-wide assessed value of \$550,000. With the town budget the same at \$10,000, the tax rate would decrease to \$18.18 per \$1,000 of value ($10,000 \div 550,000 \times 1,000$). The unchanged property would see a decrease in its tax bill to \$4,545, while the property with the addition would now owe \$5,455, for a total of \$10,000 in property taxes.

			TOTAL
MARKET VALUE	\$250,000	\$300,000	\$550,000
ASSESSED VALUE	\$250,000	\$300,000	\$550,000
TAX RATE	\$18.18/\$1,000 of value	\$18.18/\$1,000 of value	
TAX BILL	\$4,545	\$5,455	\$10,000

Example 2: Assume that the two properties remain the same, and that a third, similar property is constructed. All three properties are assessed at \$250,000, which increases the total town-wide assessed value to \$750,000. The town budget remains at \$10,000 and the tax rate drops to \$13.33 per \$1,000 of valuation ($10,000 \div 750,000 \times 1,000$). Each property owes one-third as its proportionate share, or \$3,333 in property taxes—but the total tax revenue received is still only \$10,000.

				TOTAL
MARKET VALUE	\$250,000	\$250,000	\$250,000	\$750,000
ASSESSED VALUE	\$250,000	\$250,000	\$250,000	\$750,000
TAX RATE	\$13.33/\$1,000 of value	\$13.33/\$1,000 of value	\$13.33/\$1,000 of value	
TAX BILL	\$3,333	\$3,333	\$3,333	\$10,000

As demonstrated by these two examples, new construction (a strip mall, commercial building, residential improvements, etc.) does not result in **additional** property tax revenue to the municipality. The amount of property tax revenue to be raised is always based upon the appropriations approved during the budget process—in these cases, \$10,000. Expanding the tax base by adding the value of new construction does not generate additional tax revenue. If appropriations remain level, increasing values will only cause a decrease in the tax rate.

Similarly, if a property tax exemption or credit is **eliminated**, it does not result in additional property tax revenue to the municipality. Rather, as demonstrated in the examples in the sidebar on the previous page, it *increases* the tax base, which *lowers* the tax rate and *reduces* the tax burden on other properties.

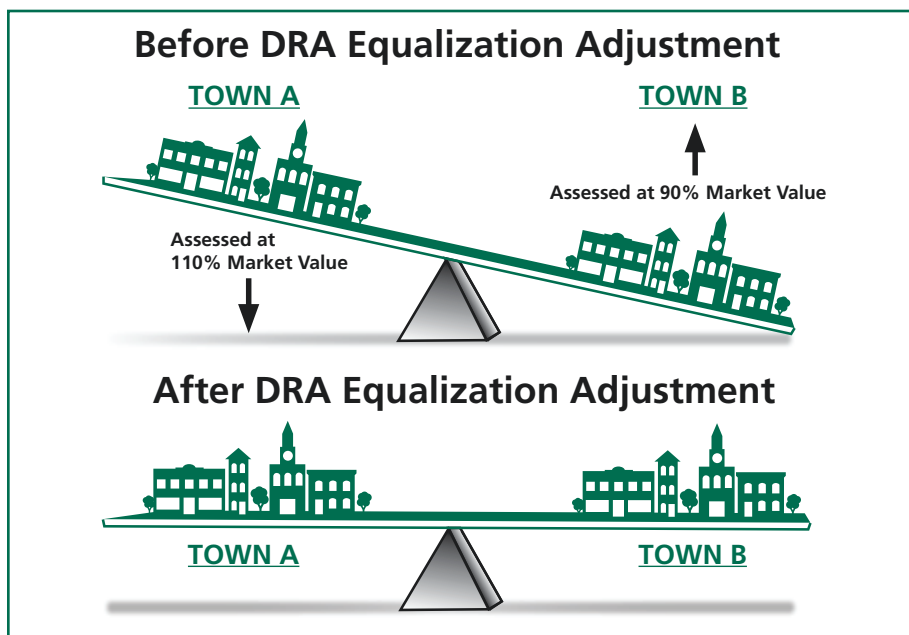
The Equalization Process

Some municipalities may be assessing property close to market value, while others may be assessing above or below market value, all of which is permissible. However, to ensure that public taxes shared by municipalities, such as the state education tax, cooperative school district taxes and county taxes, are reasonably apportioned among municipalities, the playing field must be leveled. This is accomplished by the annual equalization process conducted by the DRA through which each municipality's assessed values are **adjusted to reflect proportionality to other municipalities**. This process involves a detailed study of property sales throughout the state, a comparison of those sales with the local property assessments, and an adjustment of the local assessed value up or down to achieve proportionality. The result is called the equalized assessed value.

Once the equalized value of property in each municipality has been determined, those shared taxes can be allocated based upon each municipality's proportionate share. For example, if the equalized value of the property in a particular municipality represents 15 percent of the total equalized property value in the entire county, then that municipality would be apportioned 15 percent of the county taxes to be raised. Once the dollar amount of that municipality's share of the county tax is known, the local assessed value is used to determine the tax rate and how much each individual property owner must pay.

Equalization Ratio

A by-product of the equalization process is the determination of an equalization ratio. Generally, the ratio shows the *average* level at which each municipality assessed property the previous year in comparison to full value. A ratio of 90 percent would indicate that the municipality *generally* assessed property at approximately 90 percent of full value, that is, below market value. A ratio of 110 percent would indicate that the municipality *generally* assessed property at 110 percent of full value, or above market value. Neither a high nor a low ratio, in itself, is cause for alarm. Whether a municipality is assessing at 110 percent or 90 percent of full value is really not significant. What is important is that assessments are **proportional**, so that each property owner bears their share of the property tax based upon the value of their property.



What Will That Add to the Tax Rate?

Before property tax bills are even mailed, the process begins again in many municipalities, as governing bodies and budget committees deliberate on the budget recommendations that will be presented at the next annual meeting. A question often asked at this time is "How much will this add to the tax rate?" To provide a ballpark estimate of how much a certain item will cost on the tax rate, DRA came up with the "three-finger rule." Taking the prior year's local assessed property value and covering the right three digits with three fingers provides an estimate of the amount of money that represents \$1.00 on the tax rate. Covering the next digit

would represent 10 cents on the tax rate, and covering one more digit would be a penny on the tax rate. This works for estimating both a change in appropriations as well as a change in revenues.

For example, in a municipality with \$1,400,000,000 of assessed value, \$1.4 million would be approximately \$1.00 on the tax rate; \$140,000 would be about \$.10; and \$14,000 would be about a penny. So, if a particular item, such as a new police cruiser, is estimated to cost \$28,000, then, in this particular municipality, it would mean about \$.02 on the tax rate.

Remember, the amount is different for each municipality depending on

PROPERTY TAX *from page 13*

the net local assessed valuation. Also recognize that this is a rough estimate since it is based upon the prior year's assessed valuation, a value that will change as of April 1. But the three-finger rule certainly provides a reasonable estimate of whether a particular appropriation, or an anticipated change in revenue, will result in pennies—or dollars—on the tax rate.

Barbara Reid is the government finance advisor for the New Hampshire Local Government Center and New Hampshire Municipal Association. Contact Barbara at 800.852.3358, ext. 145, or breid@nhlgc.org.

What will it cost on the tax rate? — The Three-Finger Rule —

Sample Town: Assessed Value of \$1,400,000,000

	\$1.00 on the tax rate = \$1,400,000	 PUBLIC SAFETY BUILDING
	\$.10 on the tax rate = \$140,000	 BRIDGE REPAIR
	\$.01 on the tax rate = \$14,000	 POLICE CRUISER (\$0.02 on the tax rate for a \$28,000 police cruiser)

Agenda

Lebanon City Council

November 5, 2025

12. New Business:

12.B – Discussion and Set Public Hearing for November 19, 2025: Ordinance #2025-13, Amendments to City Code Chapter 179, Vendors

Background

On April 2, 2025, the City Council adopted Ordinance #2025-01, which amended City Code Chapter 179, Vendors. The approved amendments to Chapter 179 were based on the findings and recommendations of the Food Truck Task Force (FTTF), which was established in the summer of 2024 with an aim to foster economic growth and community vibrancy while ensuring public safety and accessibility. More specifically, the FTTF was charged with evaluating and addressing practical and regulatory challenges associated with the operation of food trucks in downtown Lebanon.

Based on the City's experience following a full season of vending under the amended regulations, the administration proposes additional amendments to Chapter 179, which are outlined in the attached draft ordinance, and described below.

At the recommendation of the Food Truck Task Force, new seasonal vendor locations were incorporated into Chapter 179, including two vendor areas along Campbell Street in front of the Carter Mansion, and two vendor areas along Taylor Street in the downtown parking lot adjacent to the Mascoma River and near the CCBA's sports courts. However, following vendor operations in those locations, both the vendor and the Lebanon Police Department expressed concerns about the safety of those locations. As a result, the administration recommends removing Campbell Street and Taylor Street from the list of acceptable vending locations in Section 179-3.E.

In addition, the City Manager's Office is recommending a clarification of the exemption in Section 179-3.A for vendors operating in connection with a larger event. Finally, the administration is recommending changes to the fees for seasonal permits (§179-4.C) and abutting business permits (§179-4.D).

Action

The following motion is offered for City Council consideration:

MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, November 19, 2025, beginning at 7:00pm, in Council Chambers, City Hall, and Remote via the City's Virtual Platform, for the purpose of receiving public input and taking action on proposed Ordinance #2025-13 to amend City Code Chapter 179, Vendors, as presented in the November 5, 2025 City Council Agenda Packet.

Included In This Section:

1. Draft Ordinance #2025-13

**CITY OF LEBANON
ORDINANCE #2025-13**

AN ORDINANCE TO AMEND the Code of the City of Lebanon, Chapter 179, entitled Vendors, which provides for the regulation of sales by vendors within the general area of Colburn Park, the Lebanon Mall, and the area of Hanover Street formerly known as "Hough Square" in the City of Lebanon.

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

Section 1:

The Code of the City of Lebanon is hereby amended to revise Chapter 179, Vendors, Section 179-3, Permit required, as follows:

§ 179-3 Permit required.

- A. Vending which occurs as an inherent part of an event properly licensed or permitted by the City Manager, including but not limited to: a farmers' market, street fair, or alumni day, shall be exempt from the ~~provisions of this chapter.~~ requirement of this chapter to obtain a Vendor Permit for the day(s) of the licensed or permitted event. Such exemption shall not apply to the requirement to obtain and pass inspections for Mobile Food Service Vendors or for the use of City-owned electricity, as applicable. In addition, such exemption shall not apply to the requirement to comply with the provisions for grey water waste disposal pursuant to §179-7.
- B. Vending activity shall be unlawful on all streets, sidewalks, and other public property in Lebanon, other than those listed below. However, this prohibition shall not apply to mobile vendors whose vehicle, stand or cart does not remain in any single site longer than 30 minutes, including but not limited to mobile ice cream trucks.
- C. No vending permit shall be issued to a Mobile Food Service Vendor without an inspection by the Lebanon Fire Department, or an authorized agency as designated by the Lebanon Fire Department. Should inspection be unfavorable, a permit will not be issued until the food service unit is found to be compliant with required regulations.
- D. No permit shall be issued to an applicant unless the applicant assumes liability for damages, property loss, injury or death, or other related liability resulting from the activities of the vending operation.
- E. Vending activity is limited to the areas described below. It shall be unlawful for any vendor or abutting business to sell, display, or offer for sale any food, beverage, goods, or merchandise without first obtaining a permit from the City Manager. Vending activity on private property is regulated by the Zoning Ordinance.
 - (1) South Park Street: up to two designated vending areas east of the mid-block crosswalk on the north side of the street. Vendors using these spaces with service windows facing the street shall be responsible for placing a continuous safety barrier within the depth of the existing parking spaces for the full length of the mobile food service unit as approved by the department of public works. These vending areas are for seasonal vending only.
 - (2) North Park Street: vending shall be permitted within the sidewalk area directly in front

of a legally established business or place of residence that is physically located on North Park Street. Vending shall be by means of a “stand” as defined above and shall be placed in a location that does not impede pedestrian travel. If a stand cannot be placed in such a manner as to allow a minimum five-foot width for pedestrian movement, vending will not be permitted.

- (3) West Park Street: vending shall be permitted within the sidewalk area directly in front of a legally established business or place of residence that is physically located on West Park Street. Vending shall be by means of a “stand” as defined above and shall be placed in a location that does not impede pedestrian travel. If a stand cannot be placed in such a manner as to allow a minimum five-foot width for pedestrian movement, vending will not be permitted.
- (4) Colburn Park: described as the entire area bordered by North, West, South, and East Park Streets, excluding the sidewalks along those streets. A maximum of four “stand” vendors will be permitted to utilize Colburn Park at any given time. Permits will be issued for daily/weekly vending only and will not be issued on Thursdays from May 1 through September 30 so as not to conflict with the weekly farmers’ market.
- ~~(5) Campbell Street: up to two designated vending areas between the intersection of North Park Street (in front of the Carter Mansion) and the driveway entrance between 1 & 3 Campbell Street. These vending areas are for seasonal vending only and Vendors using these spaces are required to have their food service window facing the sidewalk.~~
- ~~(6) Taylor Street (Lower Level) Parking Lot: up to two designated vending areas in the parking spaces fronting the Mascoma River beginning at the eastern most corner of the parking lot (closest to the playing fields for the CCBA). These vending areas are for seasonal vending only and Vendors using these spaces are required to have their food service window facing the sidewalk.~~
- (7)(5) Lebanon Mall: described as extending from the westerly sideline of West Park Street west and north to Hanover Street, meaning and intending to include the entire area of the pedestrian mall. A maximum of two “stand” vendors will be permitted to utilize Lebanon Mall at any given time. Permits will be issued for daily/weekly vending only. Permits for seated outdoor dining will only be issued to businesses physically located within or abutting the bounds of the pedestrian mall.
- (8)(6) Hanover Street “Hough Square”: vending shall be permitted within the sidewalk area directly in front of a legally established business or place of residence that is physically located on Hanover Street within the area formerly known as “Hough Square” (properties include 55, 57 & 59 Hanover Street). Vending shall be by means of a “stand” as defined above and shall be placed in a location that does not impede pedestrian travel. If a stand cannot be placed in such a manner as to allow a minimum five-foot width for pedestrian movement, vending will not be permitted.

Section 2:

The Code of the City of Lebanon is hereby amended to revise Chapter 179, Vendors, Section 179-4, Permit and fees, as follows:

§ 179-4 Permit and fees.

C. Seasonal permits.

- (1) Seasonal permits are issued for the time beginning April 1 and ending October 31 for specified vending areas as defined above and depicted on the map attached as Appendix B.^[1] The fee for a seasonal vendor permit is \$200~~300~~. Applicants wishing to obtain a seasonal permit shall apply to the City Manager between January 1 and March 14 for the vending season. All applications shall include the following:
- (a) Proof of identity and business address of the applicant.
 - (b) A brief description of the nature, character and quality of the food, beverages, goods, or merchandise to be sold.
 - (c) If employed by another, the name and business address of the person, firm, association, organization, company, or corporation.
 - (d) A description and size (length and width) of the vehicle, together with the motor vehicle registration number.
 - (e) Desired vending area location.

[1] *Editor's Note: Appendix B is **included as an attachment to this chapter.***

- (2) Applicants must meet the requirements of the City Manager for size of vehicle/operation, noise, state permit(s), hours of operation and other conditions as may be set by the City Manager.
- (3) Permits and assigned locations are non-transferable, and the fee is non-refundable.
- (4) To retain a permit for assigned vending area, seasonal vendors must utilize their assigned vending area at least 15 days of each month.
- (5) A vendor may, upon written permission from the City Manager, utilize the assigned vending area on less than 15 days in any month due to vacation, illness, or other extenuating circumstance. Noncompliance will result in the assigned vendor losing the vending area and disqualifying the vendor from applying for any vending area for the period of one year.
- (6) For any day that a vending area is not to be occupied, the vendor is responsible to ensure that the parking spaces are available for use by the public. This includes the removal of all barriers that impede access to the spaces.
- (7) Vending area #2 (north side of the South Park Street east of the crosswalk entering Colburn Park) is the only vending area that has access to electricity. Use of City-owned electricity requires an inspection and approval by the City Electrician. If authorized, the seasonal fee for use of this power source is \$350 which is payable in monthly installments of \$50 each or as one lump sum at time of permit issuance.
- (8) When more completed applications are received for vending areas than are available, or when more than one completed application has been submitted for one specific vending area location, the City Manager shall determine the allocation of the vending area(s) through an auction process. On a date chosen by the City Manager sometime between the close of applications (March 14) and the beginning of the vending season (April 1), the City Manager shall accept verbal bids from all applicants wanting to be a part of the process. The applicant that bids the greatest amount for the desired area will be awarded that area for the vending season. Remaining vending areas will be

awarded using the same process unless or until no further auction is required.

D. Abutting business permits.

- (1) Abutting businesses shall be entitled to a permit for the use of an area in the vicinity of their established place of business. Permitted areas shall not be situated as to impede pedestrian travel. Areas may not exceed 250 square feet, unless specifically approved by the City Manager, and may be prescribed, mapped, and modified from time to time by the City Manager, depending on the needs of the City.
- (2) Permits must be renewed annually and are subject to all other applicable state and City regulations.
- (3) The annual fee for an abutting business permit shall be \$125~~250~~.

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 parts of this ordinance.

Section 3: Effective Date.

The Ordinance shall become effective upon passage.