

FINAL

**LEBANON CITY COUNCIL
MINUTES, ORGANIZATIONAL MEETING
Wednesday, March 24, 2021, 7:00 p.m.
Remote Via MS Teams: [LebanonNH.gov/Live](https://lebanonnh.gov/Live)**

MEMBERS PRESENT: Mayor Tim McNamara, Assistant Mayor Clifton Below, Erling Heistad, Karen Liot Hill, Suzanne Prentiss, George Sykes, Douglas Whittlesey, Devin Wilkie, and Karen Zook

MEMBERS ABSENT: Bruce Bronner, Jim Winny

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager Paula Maville, City Clerk Kristin Kenniston, Finance Director Vicki Lee

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

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

All Councilors attending the meeting remotely are listed above.

2. **Pledge of Allegiance:** Mayor McNamara led the Council in the Pledge.

3. **Public Forum Announcement:** Mayor McNamara made the Public Forum announcement.

4. **Open to the Public:** No one from the public came forth.

5. **Retirement of Outgoing Councilors:**
A. Resolution Honoring Suzanne Prentiss.

**RESOLUTION
HONORING SUZANNE PRENTISS**

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

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

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

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

and the creation of policies to integrate the arts throughout the community; and

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

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

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

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

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

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

B. Resolution Honoring Bruce Bronner.

**RESOLUTION
HONORING BRUCE BRONNER**

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

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

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

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

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

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

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

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

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

6. Welcoming Newly Elected & Re-Elected Councilors; Election of Mayor and Assistant Mayor

The following City Councilors were officially seated: Douglas Whittlesey (Ward 1), Devin Wilkie (Ward 2), Clifton Below (Ward 3), and Karen Liot-Hill (At-Large).

Councilor McNamara noted that we are at a point in this country where discussions at the State and Federal levels seem to be increasingly fractured and hostile. In this very difficult period for our country, he personally is very proud, at the Council level here in Lebanon, that we are very non-partisan. We do not run for office with a letter after our names, at least not yet. We were elected based on the confidence that voters have given us as people, not the party we belong to. He hopes it stays this way because it serves the City of Lebanon much better as a non-partisan Council. When it comes to our relationships on the Council, he believes in what he calls the rule of seeds:

- We will always be civil and collegial to each other.
- We will always endeavor to be cooperative and collaborative in all of our discussions.
- We will try to arrive at consensus decisions, but if we cannot achieve consensus, we will work toward compromise and will be civil to each other.

7. NOMINATION AND ELECTION OF TEMPORARY CHAIR

City Clerk Kristin Kenniston opened the nominations for a Temporary Chairperson.

Councilor McNamara put forth the NOMINATION of Councilor George Sykes to serve as Temporary Chair.

Roll Call Vote:

Councilors Below, Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Zook and McNamara all voting Yea
None voted Nay.

****Councilor George Sykes was elected as Temporary Chair (8-0).***

8. NOMINATION AND ELECTION OF MAYOR AND ASSISTANT MAYOR

Councilor Sykes opened the nominations for the position of **Mayor**.

Councilor Liot Hill put forth the NOMINATION of Councilor Tim McNamara to serve as Mayor.

Roll Call Vote:

Councilors Below, Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, and Zook and all voting Yea.
None voted Nay.

Abstained: Councilor McNamara

****Councilor Timothy McNamara was elected as MAYOR (7-0-1).***

ASSISTANT MAYOR:

Mayor Timothy McNamara opened the nominations for the position of **Assistant Mayor**.

Councilor Heistad put forth the NOMINATION of Councilor Clifton Below to serve as Assistant Mayor.

Roll Call Vote:

Councilors Heistad, Liot Hill, Sykes, Whittlesey, Wilkie, Zook and Mayor McNamara all voting Yea.
None voted Nay.

Abstained: Councilor Below

****Councilor Clifton Below was elected as Assistant Mayor (7-0-1).***

NH State Senator, Suzanne Prentiss (District 5) spoke about her time as a Lebanon City Council member, thanked Council members for the Resolution honoring her, and welcomed the incoming Councilors before saying goodbye to her duties as a Lebanon City Councilor, noting she will always be available to her colleagues and constituents in her new role.

9. NEW BUSINESS

A. Adoption of Council Rules

Included in the agenda packet: Council Rules (last revised 1/20/2021)

***Councilor Liot Hill MOVED that the Lebanon City Council adopt the Council Rules as presented in the March 24, 2021 agenda packet.
Seconded by Assistant Mayor Below.***

Roll Call Vote:

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

None voted Nay.

****The Vote on the MOTION to adopt the City Council Rules passed (8-0).***

Councilor Liot Hill spoke about Assistant Mayor Below's tremendous service and contributions to the City of Lebanon over the years. She also praised and extended her appreciation to City Clerk Kristin Kenniston, staff, and volunteers for their work in making the City's election day run smoothly.

B. Training: Welcoming Lebanon Policy

Included in the agenda packet: Welcoming Lebanon Policy

The City Council at their regularly scheduled January 20, 2021 City Council meeting adopted City Council Policy CC-104: Welcoming Lebanon. City Manager Mulholland provided the required training for City Code 185 - Officials of this policy. He reviewed the Legislative History; purpose of this policy; Immigration Status; Definitions included in the policy; as well as the following to the Council:

PROVISION #1

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 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.

PROVISION #6

6. 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 I-9 forms.

ENFORCEMENT PROVISION A

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.

ENFORCEMENT PROVISION B

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.

- Complaints and investigations regarding reported or discovered violations of the provisions of Chapter 185 shall be conducted in accordance with Policy ADM-126, Complaints & Investigations.
- Guardian Tracking Software.
- Federal Civil Rights Violations.
- State Civil Rights Violations.

ENFORCEMENT PROVISION C

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.

- Contractors and Not-For-Profit Entities-Debarment and cancelation of contract or agreement.
- Elected Officials-Removal from office and/or censure.
- Appointed Officials-Removal from office and/or censure.
- Action by Council.
- Action by the Board/Commission/Committee the official is a member of.
- Action by City Manager where applicable.

ENFORCEMENT PROVISION D

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.

The Council discussed complaints and investigations; using censorship, rather than removal, to discipline Board/Committee/Commission members for violation of this policy, with the City Manager noting that there is no State Statute that covers censorship; the use of Resolutions instead of censorship; the Guardian Tracking Software that is now up and running; and, how complaints can be filed and

tracked.

ACTION

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

10. Mayoral Appointments of Councilors to Boards & Committees

- Advance Transit Board of Directors: Councilor Wilkie
- Arts & Culture Commission: Councilor Zook
- Class VI Roads Advisory Committee: Councilor Heistad, Councilor Zook (alt.)
- Conservation Commission: Councilor Heistad, Councilor Sykes (alt.)
- Lebanon Airport Tech Park TIF Advisory Board: Councilor Winny
- Downtown Lebanon TIF Advisory Board: Councilor Sykes
- Grafton Regional Development Commission: Council Liot Hill
- Governance Committee: Mayor McNamara, Assistant Mayor Below and Councilor Liot Hill
- Economic Development Commission: Councilors Liot Hill and Whittlesey
- Heritage Commission: Councilor Zook, Councilor Wilkie (alt.)
- Lebanon Energy Advisory Committee (LEAC): Assistant Mayor Below, Councilor Wilkie (alt.)
- Licensing Board: Mayor McNamara
- Pedestrian/Bicyclist Committee: Councilor Heistad, Councilor Sykes (alt.)
- Planning Board: Councilor Zook, Councilor Whittlesey (alt.)
- Upper Valley Lake Sunapee Regional Planning Commission/Transportation Advisory Committee (UVLSRPC/TAC): Councilor Liot Hill, DPW Director—City Engineer Christina Hall has been attending these meetings and providing updates
- SCIMP (Steering Committee for the Implementation of the Master Plan: Councilor Liot Hill, Assistant Mayor Below (alt.)
- Joint School District/City Council Task Force: Mayor McNamara, and Councilors Liot Hill and Whittlesey
- West Lebanon Revitalization Advisory Committee: Councilor Winny

11. Adjournment

Councilor Sykes MOVED for adjournment.

Seconded by Assistant Mayor Below.

Roll Call Vote:

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

None voted Nay.

****The Vote on the MOTION was unanimously approved (8-0)***

The meeting was adjourned at 8:11 P.M.

Respectfully submitted,
Dona E. Gibson, Recording Secretary