



**LEBANON CITY COUNCIL
MAY 5, 2021 - 7:00 PM
REMOTE VIA WEBEX
LEBANONNH.GOV/LIVE**

1. Call to Order

Meeting Access: To participate in this meeting, please [join live via WebEx](#) or call 415-655-0001 (access code: 132 799 2082). If you have trouble accessing this meeting, please [email Shaun Mulholland](#).

The May 5, 2021 Lebanon City Council Meeting is hereby called to order.

2. Pledge of Allegiance

3. Public Forum Announcement by the Mayor

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

4. Open to the Public

5. Recognitions

A. Post Traumatic Stress Disorder (PTSD) Awareness Month Proclamation

6. Approval of Minutes

A. MOTION TO approve the minutes as presented in the May 5, 2021 agenda packet

7. Appointments

A. Pedestrian & Bicyclist Advisory Committee, Amy Chan (Citizen Member)
Arts & Culture Commission, Gavin Fischer (Ward 2 Citizen Member)

8. Public Hearing Items: None

9. Old Business

A. Presentation of Second Reading: Amendment to Ordinance No. 18, Salary Plan, Article III, Bargaining Unit Employees, AFSCME Local #1348/Council 93 AFL-CIO, to implement changes proposed as part of the 2020 Wage & Classification Study completed by Municipal Resources, Inc.

10. New Business

A. Financial Outlook with Vicki Lee, Finance Director.
B. Discussion & Set Public Hearing for June 2, 2021: Establishment of a special assessment district to pay for traffic improvements at the intersection of Mount Support Road and Lahaye Drive, Lebanon.

- C. Discussion & Set Public Hearing for June 2, 2021: Supplemental Appropriation for Final Phase Improvements to Lebanon Rusty Berrings Skatepark.
- D. Discussion & Set Public Hearing for May 19, 2021: Potential rescission of Emergency Ordinance #2020-11, Face Masks, adopted by City Council on August 12, 2020.

11. City Manager Report

12. Council Representatives to Other Bodies Report

13. Future Agenda Items

14. Non-Public Session

15. Adjournment

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

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

FUTURE BOARD/COMMITTEE/COMMISSION APPOINTMENTS

Board/Committee: Economic Development Commission
Position: Regular Member
Applicant: J. Cicotte
Assigned Councilor: D. Whittlesey
Reassigned Date: 4/26/2021

Board/Committee: Guardian of Soldiers Memorial Building
Position: Regular Member
Applicant: B. Therrien
Assigned Councilor: C. Below
Reassigned Date: 3/24/2021

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

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

MAY 19, 2021 SPECIAL MEETING: End of Airpark Road

MAY 19, 2021

PUBLIC HEARINGS:

- A. Layout of extension of Airpark Road
- B. Rescission of prior authorizations and appropriations of funding for nine (9) capital projects totaling \$1,602,723.62
- C. Amendment to Ordinance No. 18, Salary Plan, Article III, Bargaining Unit Employees, AFSCME Local #1348/Council 93 AFL-CIO, to implement changes proposed as part of the 2020 Wage & Classification Study completed by Municipal Resources, Inc.
- D. Potential rescission of Emergency Ordinance 2020-11, Face Masks

NEW BUSINESS:

- A. Set Public Hearing for June 2, 2021: Mid-Grant Update on Housing and Public Facilities Community Development Block Grant for Headrest
- B. Discussion & Set Public Hearing for June 2, 2021: Housing and Public Facilities Community Development Block Grant Application for Headrest (TENTATIVE)

JUNE 2, 2021

PUBLIC HEARINGS:

- A. Establishment of a special assessment district to pay for traffic improvements at the intersection of Mount Support Road and Lahaye Drive, Lebanon
- B. Supplemental Appropriation for Final Phase Improvements at Lebanon Rusty Berrings Skatepark
- C. Mid-Grant Update on Housing and Public Facilities Community Development Block Grant for Headrest
- D. Housing and Public Facilities Community Development Block Grant Application for Headrest (TENTATIVE)

NEW BUSINESS:

- A. Discussion with Kathy Urffer of Connecticut River Conservancy re: FERC Relicensing of Great River Hydro Dam (Connecticut River – Route 10)
- B. Review and discussion of Open Space Plan



PROCLAMATION
POST TRAUMATIC STRESS DISORDER (PTSD) MONTH –
JUNE 2021

WHEREAS, June has been declared as PTSD Awareness Month each year around the world; and

WHEREAS, for centuries we have recognized post traumatic stress disorder; and

WHEREAS, PTSD can affect all ages, children through to seniors: and

WHEREAS, treatment for PTSD is available; and

WHEREAS, it is up to each of us to know that the PTSD Assessment form is a major tool to seek medical assistance; and

WHEREAS, PTSD Awareness Month urges all to seek help for those who may have PTSD requiring medical assistance.

THEREFORE, BE IT NOW RESOLVED, that the City of Lebanon, N.H., proclaims June as PTSD Awareness month in our city and encourages the residents of Lebanon to actively learn about the [PTSD Assessment form](#) written by the Centre for PTSD Research as a tool to assist those affected by PTSD to obtain medical assistance.

Proclaimed this 5th Day of May in the year Two-Thousand-Twenty-One.

Timothy J. McNamara
Mayor, City of Lebanon

**AGENDA
LEBANON CITY COUNCIL
MAY 5, 2021**

6. ACCEPTANCE OF MINUTES:

MINUTES TO BE ACCEPTED

- April 21, 2021 (Regular Meeting)

MOVED, to approve the minutes as presented in the May 5, 2021 agenda packet.

DRAFT

**LEBANON CITY COUNCIL
MINUTES, REGULAR SESSION
Wednesday, April 21, 2021, 7:00 p.m.
Remote Via Webex: [LebanonNH.gov/Live](https://lebanonnh.gov/Live)**

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

MEMBERS ABSENT: None

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager Paula Maville, City Clerk Kristin Kenniston, Director of Planning & Zoning David Brooks, Solid Waste Manager Marc Morgan, Lebanon Police Chief Richard Mello, Finance Director Vicki Lee, Deputy Finance Director Tina Stearns, Airport Director Carl Gross, Recreation/Arts & Parks Director Paul Coats, HR Director Gloria Leskiewicz

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

2
3 This meeting took place virtually due to the COVID-19 Pandemic and was conducted in accordance with
4 the Emergency Orders issued by the New Hampshire Governor according to NH RSA 91-A "Right-to-
5 Know Law."

6
7 All Councilors attending the meeting remotely are listed above.

8
9 **2. PLEDGE OF ALLEGIANCE:** Mayor McNamara led the Council in the Pledge.

10
11 Agenda items were taken out of order and are listed in the order they were presented.

12
13 **5. RECOGNITIONS:**

14 **A. Resolution in Honor and Memory of Gregory Schwarz**

15
16 **RESOLUTION IN HONOR AND MEMORY OF**
17 **GREGORY SCHWARZ**

18
19 **WHEREAS,** Gregory Schwarz served as a member of the Planning Board for the City of Lebanon from
20 April 2008 until his untimely passing on April 7, 2020; and

21
22 **WHEREAS,** Gregory, besides being a member of the Planning Board, during his twelve-year tenure, also
23 served as the Planning Board's representative to the Heritage Commission and as the Chair of the
24 Steering Committee for the Implementation of the Master Plan; and

25
26 **WHEREAS,** Gregory's knowledge and understanding of the City enabled him to make thoughtful and
27 principled decisions relative to the City's growth and development in order to serve the best interest of the
28 residents of the City of Lebanon; and
29

1 **WHEREAS**, Gregory contributed to the adoption and implementation of the City’s Master Plan through
2 the review of multiple zoning amendments, updates of development regulations, and the approval of
3 numerous development applications, and generally promoted and advanced the benefits of sound planning
4 and the protection of neighborhoods and quality of life for the City; and
5

6 **WHEREAS**, Gregory was steadfast and conscientious in his commitment to public service as a member
7 of the Planning Board and Heritage Commission; being fully dedicated to the duties and responsibilities
8 of a Board member, serving with sound judgement, professionalism, and integrity; and
9

10 **WHEREAS**, Gregory left a lasting legacy and a positive impact on everyone who had the opportunity to
11 work with him.
12

13 **NOW THEREFORE BE IT RESOLVED** that the Lebanon City Council, on behalf of the City of
14 Lebanon, extends its deepest condolences to his widow, Susan Schwarz, along with its sincere
15 appreciation for the dedicated service of Gregory Schwarz and for his contributions to the community
16 over the past 12 years.
17

18 **Dated this 21st day of April 2021 at Lebanon, New Hampshire.**
19

20

Timothy J. McNamara, Mayor
21 *On Behalf of the Lebanon City Council*
22

23 Members of the Planning Board, City Council, City Staff, and members of the community came forth to
24 express their personal experiences and gratitude for the work Mr. Schwarz did, serving in many
25 capacities, for the City of Lebanon and its residents over many years. Mr. Schwarz’s family was present
26 and accepted his recognition in person.
27

28 **B. Retirement of Richard Mello, Police Chief**
29

30 **RESOLUTION IN HONOR OF**
31 **RICHARD R. MELLO**
32

33 **WHEREAS**, Richard R. Mello retiring from the City of Lebanon on April 30, 2021, has devoted himself
34 to a career in public service as a Police Officer, having served in the Lebanon Police Department for over
35 five years and within the State of New Hampshire for 28 years; and
36

37 **WHEREAS**, Chief Mello has served as an example of dedication to his profession by providing
38 outstanding leadership, a strong work ethic and showing extreme devotion to department members and
39 the citizens of Lebanon; and
40

41 **WHEREAS**, during his tenure, Chief Mello served on the City of Lebanon Taskforce on Homelessness,
42 the Lebanon Partners United for Safety and Health (PUSH), New Hampshire Chiefs of Police Association
43 Representative on the Legislative Committee to Study the Legalization and Taxation of Marijuana and
44 was the past President of the Grafton County Chiefs Association; and
45

46 **WHEREAS**, Chief Mello spearheaded the Lebanon Police Department to achieve accreditation through
47 the Commission on Accreditation for Law Enforcement Agencies (CALEA), and on November 13, 2020,

1 Lebanon Police joined the less than five percent of Law Enforcement Agencies in the country to be
2 CALEA Accredited; and
3

4 **WHEREAS**, Chief Mello has demonstrated those many attributes that were essential to his position,
5 always conducting himself in an open and forthright fashion, and continually giving of himself freely and
6 unselfishly; and
7

8 **WHEREAS**, Chief Mello has served thousands of the region's residents over the past five years in a
9 courteous and helpful manner, often going above and beyond his duties to assist them, which has earned
10 the respect, confidence, and friendship of his fellow coworkers, business associates, and citizens in the
11 community.
12

13 **NOW, THEREFORE, BE IT RESOLVED**, that we, the members of the Lebanon City Council, on
14 behalf of the citizenry of Lebanon, Chief Mello's friends, fellow employees, and associates, express our
15 admiration of and respect for the career of our outstanding and faithful employee and extend to him our
16 sincere gratitude and wish him well in his retirement,
17

18 **BE IT FURTHER RESOLVED** that this Resolution be written upon the minutes of the Lebanon City
19 Council meeting and a copy be presented to Richard R. Mello.
20

21 Dated this 21st day of April 2021 at Lebanon, New Hampshire.
22

23

Timothy J. McNamara, Mayor
24 *On behalf of the Lebanon City Council*
25

26 At the request of the Council, Chief Mello spoke briefly about his career with the LPD and his long 30-
27 year career in law enforcement, noting the LPD Staff and Officers deserve the credit for the achievements
28 over the last 5+ years and spoke highly about the skills of Deputy Chief Phillip Roberts who will be
29 taking over his position as Chief.
30

31 **C. Proclamation for Older Americans Month** 32

33 **PROCLAMATION OLDER AMERICANS MONTH – MAY 2021** 34

35 **WHEREAS**, The City of Lebanon includes a growing number of older Americans who have built
36 resilience and strength over their lives through successes and difficulties; and
37

38 **WHEREAS**, The City of Lebanon benefits when people of all ages, abilities and backgrounds are
39 included and encouraged to share their successes and stories of resilience; and
40

41 **WHEREAS**, The City of Lebanon recognizes our need to nurture ourselves, reinforce our strength, and
42 continue to thrive in times of both joy and difficulty; and
43

44 **WHEREAS**, The City of Lebanon can foster communities of strength by:
45

- 46 • Creating opportunities to share stories and learn from each other,
- 47 • Engaging older adults through education, recreation, and service, and

- 1 • Encouraging people of all ages to celebrate connections and resilience.

2
3 **THEREFORE, BE IT NOW RESOLVED**, that the City of Lebanon, N.H., proclaims May 2021 to be
4 Older Americans Month. We urge every resident to recognize older adults and the people who support
5 them as essential contributors to the strength of our community. Proclaimed this 21st Day of April in the
6 year Two-Thousand-Twenty-One.

7
8 _____
9 Timothy J. McNamara Mayor, City of Lebanon

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

11
12 **4. OPEN TO PUBLIC:**

13 Mayor McNamara thought it was time for the Council to begin discussions about ending the Mask
14 Mandate. At the Council meeting on May 5th, 2021, he would like to set a Public Hearing for May 19th,
15 2021, to come up with a tentative date of June 30, 2021 to end the Mask Mandate, unless things change
16 dramatically in the next few weeks.

17
18 Councilor Whittlesey suggested having someone from Dartmouth-Hitchcock be present at these
19 discussions to help inform the Council and residents about what is happening in our area.

20
21 Councilor Liot Hill spoke about the general consensus from people and businesses who have expressed
22 their positive feedback that the City has maintained its Mask Ordinance in spite of the Governor lifting
23 the State-wide Mask Mandate, noting they felt the Governor was premature in lifting this mandate from a
24 public health perspective. There is a very serious situation going on right now with COVID variants and
25 the city still has a lot of people who are not going to be eligible for the vaccine. She also suggested
26 putting signs up in the City to let people know Lebanon's Mask Ordinance is still in effect, noting some
27 businesses are dealing with patrons who are refusing to comply with the City's Mask Ordinance.

28
29 The Council also discussed the potential for a 3rd wave (of COVID) due to the variants and people are not
30 paying attention to mask mandates; setting clear vaccination criteria before the mandate can be lifted; and,
31 the City's obligation to promote public safety and needs and balancing competing interests.

32
33 All Councilors agreed it would be prudent to hold a Public Hearing on May 19, 2021, and continue these
34 discussions at the May 5, 2021 City Council meeting.

35
36 **6. ACCEPTANCE OF MINUTES:**

37 **A. April 7, 2021 (Regular Session)**

38 Amendments: Page 10, line 33 of agenda packet: insert "Development" so it reads "the Community
39 Development Finance Authority Grant..."

40
41 *Councilor Liot Hill MOVED to approve the April 7, 2021 (Regular Session) minutes as amended*
42 *and presented in the April 21, 2021 City Council agenda packet.*
43 *Seconded by Assistant Mayor Below.*
44

Roll Call Vote:

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

None voted Nay.

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

Councilor Heistad MOVED to approve the April 7, 2021 (Non-Public Session) minutes.

Seconded by Councilor Wilkie.

Roll Call Vote:

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

None voted Nay.

Councilor Sykes abstained.

**The Vote on the MOTION was approved (8-0-1).*

7. APPOINTMENTS:

- Rebecca Owens, Advance Transit Board of Directors (Citizen Representative)

Councilor Heistad put forth the NOMINATION of Rebecca Owens as a Citizen Representative to the Advance Transit Board of Directors. Three Year Term (4/21 – 4/24)

Roll Call Vote:

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

None voted Nay.

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

- Karen Liot Hill, Economic Development Commission (Vice Chairperson)

The Economic Development Commission (EDC) has recommended to the Council that Councilor Karen Liot Hill be appointed as the Vice Chairperson to the EDC.

Assistant Mayor Below put forth the APPOINTMENT of Karen Liot Hill to serve as Vice Chairperson to the Economic Development Commission.

Seconded by Councilor Heistad.

Roll Call Vote:

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

None voted Nay.

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

8. PUBLIC HEARING ITEMS:

A. COMMUNITY REVITALIZATION TAX RELIEF APPLICATION – ONE

MECHANIC STREET, LLC A public hearing for the purpose of receiving public input and taking action on a Community Revitalization Tax Relief Application (per NH RSA 79-E) by One Mechanic Street, LLC for property located at 1 Mechanic Street, Lebanon

1 Included in the agenda packet:

- 2 1. March 26, 2021 Memo from Planning & Development Director David Brooks, RE: Community
3 Revitalization Tax Relief Incentive Program (RSA 79-E) Application – One Mechanic Street, LLC –
4 1 Mechanic Street; Tax Map 91, Lot 264 (pages 36-51, agenda packet)
- 5 2. March 29, 2021 Downtown Lebanon TIF Advisory Board DRAFT Minutes (pages 52-53, agenda
6 packet).

7
8 Director of Planning & Zoning David Brooks noted there was lengthy discussion on this application and
9 request at the Council's prior meeting on April 7, 2021. The owner/applicant of the building at One
10 Mechanic Street, Lebanon, is applying for tax relief under the 95-E program, as they are converting the
11 structure from a commercial use (formerly NAPA Auto) to an 18-unit multi-family building.

12
13 The Planning & Development Department received the application from One Mechanic Street, LLC on
14 February 26, 2021. Under the terms of the 79-E program, the City Council must hold a public hearing
15 within 60 days from receipt of the application to determine whether the structure is a Qualifying
16 Structure; whether the proposed project is a Substantial Rehabilitation; and whether there is a Public
17 Benefit to granting the requested tax relief, and if so, for what duration.

18
19 Mr. Brooks stated the project can be considered as a qualifying structure, since it is located in the
20 Downtown Lebanon 79-E District. It far exceeds the thresholds for a substantial rehabilitation and the
21 applicant has suggested there are numerous public benefits which would be satisfied by this project
22 including: the advancement of economic vitality in Downtown; promotion, preservation, and reuse of
23 existing building stock; promotion of the municipal centers; and, increasing the residential housing in
24 Lebanon's Downtown centers.

25
26 The question that came up at the last session was the duration of time for the tax relief. The applicant has
27 requested a minimum of seven (7) years of tax relief for the project, but there was a discussion about
28 extending the tax relief to eleven (11) years for affordable housing. Staff provided some recommended
29 guidance relative to the number of units and the potential affordability thresholds that the Council might
30 want to consider as it reviews whether to grant those last four (4) years of tax assessment relief
31 understanding that the goal of the (79-E) program is to make projects happen that may not be otherwise
32 viable. If the Council chooses, it can vary those standards as it sees fit.

33
34 For detailed information regarding the project, please see the memo by Director of Planning &
35 Development David Brooks, along with the accompanying application and supporting documentation
36 submitted by One Mechanic Street, LLC (pages 36-51, agenda packet).

37
38 Mr. Jeremy Katz (Ward 3 & Manager/Owner of One Mechanic Street, LLC): He spoke about his
39 application and shared a screenshot (page 46, agenda packet) of the before picture and what the proposed
40 project would look like when finished, giving a history of the building. He was originally looking at
41 redeploying this as a commercial building but learned this would not be viable because of a projected
42 round-a-bout project. The proposed plan now is for 18 residential units (17 studio and 1 two-bedroom
43 apartments) that do not have fossil fuel burning systems on site. The property is less 150 ft. from the
44 Greenway and an Advance Transit Station. It is walkable to Downtown and has the potential for
45 residents to contribute to the local economy. He plans to spend in excess of \$1.6M on the building, which
46 is all personal risk capital and bank financing. The project does have the benefit of enhancing the
47 economic vitality of the Downtown; the promotion, preservation, and reuse of the existing building stock;

1 and the development of the municipal center by bringing these residential units into a core Downtown
2 area which will increase residential housing within the municipal center. He asked the Council to
3 consider a minimum of seven (7) years and spoke about what he would consider as affordable housing to
4 the market. He is willing to reserve 20% of the units (4 of the 18 units) to be no more than 35% of the
5 median single person income. If the Council does not grant the additional four (4) years as affordable
6 housing, the seven (7) years will be fine and will not kill the project. He also addressed the letter from
7 Attorney Barry Schuster, and felt the TIF District and the 79-E program are not at odds with each other
8 because large amounts of private investment in the district also improves the district and property values.

9
10 The expected completion date for this project would be March 31, 2022, but Mr. Katz expects it to only
11 take 6-8 months.

12
13 City Manager Shaun Mulholland explained the importance for the Council to address the letter dated
14 April 19, 2021 from Chair Barry Schuster Re: RSA 79-E/TIF Advisory Board. Councilor Sykes noted
15 that the TIF Advisory Board felt a need to reconcile the goals of the TIF Advisory Board vs. the goals that
16 Mr. Katz's presents. (The letter can be found, in its entirety, on page 54, agenda packet.)

17
18 Councilor Wilkie was curious if the TIF Advisory Board discussed any criteria that was less than the
19 maximum previously awarded. Councilor Sykes, speaking on behalf of the TIF Advisory Board,
20 explained they were not comfortable saying what those criteria should be and were mindful that anything
21 the Council does will become a precedent, which may have a big impact on the future ability of the TIF
22 District to raise funds. They also felt the funds that become available through the TIF District would
23 clearly help improve property owners' value in their properties.

24
25 The Council discussed the TIF Advisory Board's concern regarding the balance between the public vs.
26 private funding assistance, with Councilor Whittlesey speaking about his reasons why granting tax relief
27 through the 79-E program will ultimately serve the spirit of the TIF District.

28
29 Councilor Liot Hill spoke about the City's policy to revitalize the Downtown using the TIF District and
30 the 79-E program, noting they are not working against each other. They can actually be complimentary.

31
32 Mr. Brooks said the overarching goal of both programs is the long term redevelopment and revitalization
33 of our Downtowns, both Lebanon and West Lebanon. Each improvement made to a specific private
34 property or for a public improvement has the potential to provide some appreciative benefit to
35 surrounding properties. While there may be a short-term loss to the TIF District, it may be made up by
36 appreciated values in the vicinity of a project.

37
38 Mayor McNamara felt there are at least some projects where substantial improvements to a property
39 would not be made in the absence of a 79-E program. He would argue that the 79-E program can actually
40 accelerate the funds going into the TIF program because the value of the property goes up more
41 substantially than if it would if it were not improved. The more investments made in properties, the more
42 investments are likely to be made in other properties and felt both programs are complimentary.

43
44 **Mayor McNamara opened the Public Hearing.**

45 The following people came forth to speak:

46
47 *Matt Hall (Ward 3):* He spoke about his support for the project and felt it was quite worthy.

1
2 *Suzanne Prentiss (Ward 1):* She spoke about her support for the project, noting the project is bringing in
3 needed housing to the Downtown area, the projects economic plus for the City, and its contributions by
4 being a clean energy building.
5

6 **Mayor McNamara closed the Public Hearing.**
7

8 Mayor McNamara noted the points the Council should consider below:

- 9 1. Initial application for a 5-year tax relief.
10 2. The Council is allowed up two (2) additional years for a project that results in new residential units.
11 3. The question of the remaining (4) years for affordable housing, recognizing there is no definition for
12 affordable housing at this point in time.
13

14 The Council discussed the need to have a broader discussion on creating affordable housing criteria for
15 the 79-E program; what the precedent would be when granting tax relief for projects that may not be
16 affordable to those not making the median income for Grafton County.
17

18 Mr. Brooks stated that through the RSA 79-E program, tax relief can only be granted prior to a project's
19 work being done. Tax relief cannot be requested for work that has started prior to the Council's granting
20 of the tax relief.
21

22 Councilors all agreed moving ahead to grant the seven (7) year tax relief provision.
23

24 **ACTION:**
25

26 ***Councilor Liot Hill MOVED the following:***
27

28 **BE IT HEREBY RESOLVED** by the Lebanon City Council, after a duly-noticed public hearing, that:
29

30 **WHEREAS**, the City Council has determined that the application of One Mechanic Street, LLC
31 (hereinafter the "Applicant") for property assessment tax relief under the City's 79-E Program is complete
32 enough to commence consideration, and
33

34 **WHEREAS**, the City Council has determined that the Applicant's property, 1 Mechanic Street, Tax Map
35 91, Lot 264 (hereinafter the "Property"), is situated in the Downtown Lebanon 79-E District as adopted
36 by the City and, therefore, meets the 79-E Program requirement as a Qualifying Structure, and
37

38 **WHEREAS**, the City Council has determined that the Applicant's project to complete interior renovation
39 and exterior rehabilitation on the Property pursuant to plans and information provided in the application
40 (hereinafter the "Project") exceeds the lesser of 15% of the current pre- rehabilitation assessed valuation
41 or \$75,000 and, therefore, meets the 79-E Program requirement as a Substantial Rehabilitation, and
42

43 **WHEREAS**, the City Council has determined that the Applicant's proposed Project will generate one or
44 more Public Benefits to the City, including: 1. Enhancement of the economic vitality of Downtown
45 Lebanon, and 2. Promotion of the preservation and reuse of existing building stock, and 3. Promotion of
46 the development of municipal centers, providing for efficiency, safety, and a greater sense of community
47 consistent with RSA 9-B, and 4. Increasing residential housing in municipal centers.

1
2 **NOW THEREFORE**, pursuant to the provisions of the Community Revitalization Tax Relief Incentive
3 (NH RSA 79-E) Program, as adopted by the City, the City Council hereby grants to the Applicant seven
4 (7) years of property assessment tax relief for the Property to commence upon completion of Project, with
5 the following conditions:
6

7 *1. The Applicant shall grant to the City of Lebanon a Declaration of Covenant to be recorded in the*
8 *Grafton County Registry of Deeds ensuring that the Project shall be maintained and used in a manner*
9 *that furthers the Public Benefit(s) set forth above for which this property tax relief is granted. The term*
10 *of the Declaration of Covenant shall be effective for fourteen (14) years, which is twice the duration of*
11 *the approved tax relief period as permitted under RSA 79-E:8, II.*
12

13 *2. The Applicant shall obtain and maintain property and casualty insurance, as well as flood*
14 *insurance, if appropriate, for the term of the Declaration of Covenant set forth above to ensure proper*
15 *restoration or replacement of the Project and Property. Such insurance shall, effective as of the date*
16 *on which the Project is completed, name the City of Lebanon as an additional insured by endorsement*
17 *and the City shall be provided with certificates of insurance annually. Further, the applicant shall*
18 *agree to have the City made a Loss Payee of the proceeds of any property or casualty insurance*
19 *coverage, subject to the rights of any current or future mortgagee of the Property and any structures*
20 *thereon, for the purpose of ensuring proper and timely restoration or demolition of the Property,*
21 *including any damaged structures thereon. The Applicant shall agree to commence any restoration or*
22 *demolition of such structures within one year following the date of any occurrence or incident for*
23 *which an insurance claim is or could be made; otherwise the Applicant shall be subject to the*
24 *termination provisions set forth in RSA 79-E:9, I.*
25

26 *3. The Applicant shall obtain a Building Permit for the Project and commence construction no later*
27 *than one year from the date of this Resolution, unless otherwise extended by the City Council in*
28 *writing. The Project, as approved, shall be completed on or before April 21, 2022, unless otherwise*
29 *extended by the City Council in writing.*
30

31 *Seconded by Assistant Mayor Below.*
32

33 **Roll Call Vote:**

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

36 None voted Nay.

37 **The Vote on the MOTION was unanimously approved (9-0).*
38

39 **B. ORDINANCE #2021-04 - TO AMEND CITY CODE CHAPTER 97, LANDFILL**
40 **REGULATIONS** - A public hearing for the purpose of receiving public input and taking
41 action to amend City Code Chapter 97, Landfill Regulations, to implement a permitting
42 system for access and use of the Solid Waste Facility.
43

44 Included in the agenda packet:

- 45 1. Ordinance 2021-04 (pages 56-60, agenda packet)
46 2. March 30, 2021 Legal Opinion by Attorney C. Christine Fillmore, RE: Emergency Ordinance #2021-
47 04 Landfill Regulations (page 61, agenda packet)

1
2 City Manager Shaun Mulholland explained that the Lebanon Solid Waste Facility currently accepts waste
3 from 23 participating communities, plus residents and businesses within the City. While commercial
4 waste haulers are required to have an established billing account, commercial or residential users are
5 currently not required to have a permit showing their identification, or proof of residency. In an effort to
6 gain better control over access and use of the facility, administration is looking to implement a permitting
7 process as outlined in Ordinance 2021-04.

8
9 Solid Waste Manager Marc Morgan stated this completes the update to the Solid Waste Code for the City
10 of Lebanon and is being amended to better control the use and enforcement of authorized communities at
11 the Lebanon Solid Waste facilities. They have been working on a digital permit process that should be in
12 place by September 1, 2021. He spoke about the process of applying for a permit and fees (online is free
13 but a fee will be charged for in-person applications). They have been working with the Lebanon Libraries
14 to ensure people have access to free internet and computers and have also been working with other staff
15 members to assist residents in obtaining online permits. He spoke about how these digital permits would
16 be used and tracked, noting permits will be attached to a person and their residents.

17
18 **Mayor McNamara opened the Public Hearing. Hearing no comment from the public, the Public**
19 **Hearing was closed.**

20
21 ***Assistant Mayor Below MOVED, that the Lebanon City Council hereby adopts Ordinance 2021-04,***
22 ***to amend City Code Chapter 97, Landfill Regulations, to implement a permitting system for access***
23 ***and use of the Solid Waste Facility.***

24 ***Seconded by Councilor Heistad.***

25
26 **Roll Call Vote:**

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

29 None voted Nay.

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

31
32 **C. AMEND ORDINANCE NO. 18, SALARY PLAN** – A public hearing for the purpose of
33 receiving public input and taking action to amend Ordinance #18, Salary Plan, Article II, Non-
34 Affiliated & LPASE Employees, Seasonal/Temporary & Stipend Employees, to increase 2021
35 wages for Memorial Pool and Camp Recreation, Arts & Parks employees.

36
37 Included in agenda packet: Ordinance # 18, Salary Plan.

38
39 City Manager Mulholland explained the background and reasons behind the amendment to Ordinance
40 #18.

41
42 The 2021 Budget was approved without funding to operate the pool this year. The anticipated revenue
43 reductions as a result of the COVID-19 Pandemic required the implementation of necessary austerity
44 measures to balance the City's budget. The US Congress passed legislation which was signed into law by
45 the President that would provide revenue relief and other funding to address the impacts of COVID-19.
46 This funding (as it appears right now) would come to the City from the federal government and allow for
47 the operation of the pool this year. The City Manager is proposing the salary increases as shown in the
48 charts provided for a number of reasons as annotated below:

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

Process to Amend Ordinance No. 18

Amending Ordinance No. 18 requires three separate presentations (see City Charter subsections 419:22, 419:24, 419:25, 419:52) followed by a public hearing and the vote of at least two-thirds (2/3) of all members of the City Council – six (6) members - to adopt.

The first presentation was March 17; the second was April 7. The Council is asked to finalize the process by acknowledging the third presentation and acting to amend the Salary Plan at the close of the public hearing.

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

Councilors Heistad and Whittlesey were recused.

ACTION:

1. PRESENTATION:

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

B. SEASONAL/TEMPORARY& STIPEND EMPLOYEES

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

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

POSITION TITLE	HOURLY	
ELECTION POSITIONS (HOURLY)		
Ballot Clerk		\$10.15
Election Assistant		\$10.15
Supervisors of the Checklist		\$10.15
Moderator		\$12.69
Ward Clerk		\$12.69
FIRE DEPARTMENT POSITIONS		
Call Firefighter	\$11.25	\$28.54
PARK AND RECREATION POSITIONS		
Camp Counselors	\$10.15	\$12.18
Front Desk Attendants – Pool	\$10.15	\$12.18 \$15.25
Head Front Desk Attendants	\$11.17	\$13.70
Site Assistant	\$10.15	\$13.20
Lifeguards	\$10.15	\$12.18 \$17.50
Head/Lead Counselors	\$13.20	\$16.24
Site Assistant	\$10.15	\$13.20
Head & WSI Lifeguards	\$12.18	\$15.23 \$18.25
Head Front Desk Attendant - Pool	\$12.18	\$15.23 \$15.50
Outdoor Adventurer - Educator	\$12.69	\$16.24
Softball Coordinator	\$12.69	\$16.24
Camp Director	\$13.20	\$16.24 \$20.00
Day Camp Counselors	\$10.15	\$14.21 \$15.25
Arts & Craft Director	\$13.20	\$16.24 \$17.00
Farmers Market Coordinator	\$14.21	\$18.27
Market Assistant	\$12.18	\$15.23
Tennis Instructor	\$15.23	\$19.29
Stomp & Romp	\$15.23	\$19.29
Asst. Pool Director	\$15.23	\$19.29 \$21.00
Pool Director	\$16.24	\$20.30 \$24.00
LIBRARY POSITIONS		
Circulation Substitutes		\$13.41
Reference Librarian Substitutes		\$22.65
PUBLIC WORK POSITIONS		
Engineering Clerk	\$11.17	\$14.21
GIS Clerk - (or Intern)	\$15.23	\$17.26
Seasonal Laborers – Summer & Fall DPW, Parks & Rec. & Airport	\$16.24	\$19.29
CDL Seasonal Drivers	\$22.81	\$27.30
PLANNING POSITIONS		
Park Ranger	\$15.23	\$17.26
POLICE DEPARTMENT POSITIONS		
Crossing Guard		\$16.53
Communications Specialist	\$23.78	\$32.45
Police Administrative Aide	\$20.30	\$23.35
Parking Control Officer	\$20.30	\$23.35
Police Officers	\$26.86	\$32.39

CITY CLERK POSITIONS		
Assistant City Clerks (Part-Time/Temp. <20)	\$23.41	\$31.61
Recording Secretary	\$21.82	\$23.85
Recording Secretary Coordinator	\$22.82	\$24.36
SHARED POSITION		
General Intern I	\$13.20	\$16.75
STIPEND POSITIONS		
Sport Coaches – Seasonally (Lacrosse, Track, Youth – Basketball, Field Hockey, Football, Cheerleader Coach etc. – may vary due to Programs)	\$205	\$715
(Chair) Supervisors of the Check List	\$155	\$255
Supervisor of the Voter Checklist	\$155	\$255

2. RESOLUTION:

FOR THE PURPOSE OF amending Ordinance No. 18, Salary Plan.

NOW THEREFORE BE IT RESOLVED; that the Lebanon City Council amends Ordinance No. 18, Salary Plan, Article II, Non-Affiliated & LPASE Employees, Seasonal/Temporary & Stipend Employees, to increase 2021 wages for Memorial Pool & Camp Recreation, Arts & Parks employees.

Seconded by Councilor Wilkie.

Roll Call Vote:

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

None voted Nay.

Councilors Heistad and Whittlesey were recused.

**The Vote on the MOTION was approved (7-0-2).*

Councilor's Heistad and Whittlesey returned as regular members of the City Council.

9. OLD BUSINESS: None

10. NEW BUSINESS

A. Request from Lalo's Taqueria for an Exemption (per §14-5) of City Code Chapter 14, Alcoholic Beverages, to permit the serving of alcoholic beverages on City property

Included in agenda packet: March 31, 2021 Letter from Nick Yager, Lalo's Taqueria, and Map depicting proposed expanded outdoor seating area.

Lalo's Taqueria is requesting exemption to serve alcohol on City-owned property.

On April 1, 2021, City administration approved an outdoor seating area for Lalo's Taqueria within the Lebanon Pedestrian Mall. As the restaurant serves alcoholic beverages as part of their dining menu, they would like to serve alcohol as part of their outdoor dining service.

City Code Chapter 14, Alcoholic Beverages, regulates the consumption of alcohol on City-owned property. Section 14-5, Exemption, states that, "Any person, publicly recognized organization, organized group, family group or business may be exempted from the provisions of this article for a short period of

1 time not exceeding 12 hours, upon first obtaining permission from the City Manager after consultation
2 with and approval by the Chief of Police. For a period of time exceeding 12 hours but not exceeding one
3 year, permission must first be obtained from the Lebanon City Council and reviewed on an annual basis.”
4

5 Due to the nature of the business and the desire to serve alcohol on City-owned property, Council
6 approval is required pursuant to §14-5 above.
7

8 Mr. Nick Yagar spoke about his request for Lalo’s Taqueria.
9

10 **Councilor Liot Hill was recused.**

11
12 ***Councilor Wilkie MOVED, that the Lebanon City Council hereby grants an exemption pursuant to***
13 ***§14-5 of City Code Chapter 14, Alcoholic Beverages, to Lalo’s Taqueria to serve alcoholic***
14 ***beverages on the Lebanon Pedestrian Mall within the area shown on the maps included in the April***
15 ***21, 2021 City Council Agenda Packet.***
16

17 **Exemption shall be valid beginning April 1, 2021 and shall expire on December 31, 2021.**
18

19 ***Seconded by Councilor Winny.***
20

21 **Roll Call Vote:**

22 Assistant Mayor Below, and Councilors Heistad, Sykes, Whittlesey, Wilkie, Winny, Zook and Mayor
23 McNamara all voting Yea.

24 None voted Nay.

25 Councilor Liot Hill was recused.

26 ****The Vote on the MOTION was approved (8-0-1).***
27

28 **Councilor Liot Hill returned as a regular member of the City Council.**
29

30 **B. Review and Discussion of 2020 Year End and 2021 1st Quarter Budget Reports**

31

32 Included in agenda packet:

- 33 1. April 21, 2021 Memo and 2020 Year End Budget Report from Vicki Lee, Finance Director, Tina
34 Stearns, Deputy Finance Director and Doug Smith, Finance Consultant (pages 73-82, agenda packet)
- 35 2. April 21, 2021 Memo and 1st Quarter 2021 Budget Report from Vicki Lee, Finance Director, Tina
36 Stearns, Deputy Finance Director and Doug Smith, Finance Consultant. (pages 83-92, agenda packet).
37

38 Finance Director Vicki Lee presented a summary of the year-to-date budget reports for expenditures and
39 revenues (end of year 2020 and first quarter 2021) as depicted in the memos dated April 21, 2021 on
40 pages 73-93 in agenda packet, which included spreadsheets and graphs. She highlighted the General Fund
41 Expenditures, General Fund Revenues, Other Funds and Unassigned Fund Balance.
42

43 The Council, City Manager, and Ms. Lee discussed the reasons behind the 633.2% increase in the 2020
44 Miscellaneous Revenues; Water/Wastewater Department Revenues/Expenditures; Staffing shortage in
45 the Water/Wastewater Plants; and, the reasons for the surplus of almost \$5K in wastewater treatment.
46

47 **ACTION: No action required by the Council. For informational purposes only.**

48 **C. Presentation of First Reading and set public hearing for May 19, 2021: Amend**
49 **AFSCME Wage Schedule in Ordinance No. 18 To Implement Changes Proposed as Part**
50 **of the 2020 Wage & Classification Study Completed by Municipal Resources, Inc.**

1
2 Included in agenda packet: Ordinance No. 18
3

4 Gloria Leskiewicz, Human Resources Director, presented a broad overview of the proposed amendment
5 to the AFSCME Wage Schedule in Ordinance No. 18.
6

7 While negotiating with AFSCME Local #1348/Council 93 AFL-CIO in 2019, the City agreed to provide
8 an independent wage and classification study to review all full-time AFSCME positions. Municipal
9 Resources Incorporated (MRI), was contracted to perform the study which included a thorough market
10 analysis and comprehensive review of each position within the bargaining unit.
11

12 The market analysis compared average, minimum, and maximum salaries with the towns of Bedford,
13 Dover, Durham, Hampton, Hanover, Hooksett, and the cities of Claremont, Concord, and Keene.
14

15 The comprehensive review of job positions was a collaboration between employees, department heads
16 and MRI staff. Each employee was charged with reviewing their individual job descriptions and
17 completing a position analysis questionnaire. Department Heads met with employees and finalized job
18 descriptions based on department needs and operations. MRI then analyzed, measured, and compared
19 against a common set of criteria in a systematic and objective manner utilizing a point-factor evaluation to
20 arrive at an assigned salary grade.
21

22 The proposed Wage & Classification Plan includes grades that combine the point-factor system, market
23 data, and other unique qualities that pertain to the City of Lebanon.
24

25 **Process to Amend Ordinance No. 18**

26

27 The Council was asked to begin the process of amending Ordinance No. 18 Article III – Bargaining Unit
28 Employees, Section A, AFSCME Local #1348/Council 93 AFL-CIO, to implement the results of MRI's
29 2020 Wage and Classification Study as shown in the table below.
30

31 Amending Ordinance No. 18 requires three separate presentations (see City Charter subsections 419:22,
32 419:24, 419:25, 419:52) followed by a public hearing and the vote of at least two-thirds (2/3) of all
33 members of the City Council – six (6) members - to adopt.
34

35 The Council was asked to recognize the first of three presentations on April 21, and to schedule a public
36 hearing for May 19, 2021 to amend the Ordinance. The second and third presentations will follow on May
37 5, and May 19, respectively.
38

39 **ACTION**

40

41 **1. ACKNOWLEDGE FIRST PRESENTATION:**

42

43 ***Councilor Whittlesey MOVED, that the Lebanon City Council acknowledges the first of three***
44 ***presentations to amend Ordinance No. 18, Salary Plan, Article III, Bargaining Unit Employees,***
45 ***Section A, AFSCME Local #1348/Council AFL-CIO, to implement the results of the 2020 Wage &***
46 ***Classification Study completed by Municipal Resources, Inc.***
47

48 *Changes to the compensation and classification schedules are shown **red italics** to delete the position*
49 *from the current grade, and in **blue italics** type to reclassify the position in the new grade. **No wage rate***
50 *adjustments are proposed as a result of this study.*
51

AFSCME POSITIONS	
GRADE	POSITION(s)
1	Laborer
2	Utility Operator Trainee
3	Operator; Maintainer ; Recycling Attendant; Construction Utility Operator I; Meter/Backflow Technician; Scale Technician
4	Light Equipment Operator; Airport Maintenance Technician; Utilities Plant Operator
5	Heavy Equipment Operator; Utilities Operator I; Airport Maintenance Specialist; Water Plant Operator; Wastewater Plant Operator Maintainer (Cemetery Crew Leader); Utilities Operator I;
6	Parks & Grounds Crew Foreman ; Mechanic; Water Treatment Plant Operator; Wastewater Treatment Plant Operator;
7	Electrician ; Laboratory Technician/ Utilities Plant Operator; Airport Maintenance Foreman; Parks & Grounds Crew Foreman; Utilities Maintenance Mechanic; Engineering Technician;
8	Electrician; Foreman;
9	Chief of Quality Assurance

AFSCME LOCAL 1348 - 2021 SALARY GRADES 1.5% GWI

<u>Minimum</u>							<u>Maximum</u>
<u>Grade</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>
1	17.31	17.84	18.39	18.91	19.46	20.01	20.52
2	18.66	19.24	19.84	20.42	21.01	21.58	22.15
3	20.12	20.77	21.42	22.06	22.71	23.33	23.99
4	21.74	22.45	23.14	23.85	24.54	25.25	25.98
5	23.52	24.31	25.07	25.83	26.59	27.36	28.16
6	25.51	26.32	27.15	27.96	28.81	29.63	30.49
7	27.61	28.51	29.41	30.33	31.23	32.13	33.05
8	29.89	30.89	31.87	32.87	33.83	34.84	35.87
9	31.43	32.48	33.54	34.59	35.66	36.70	37.79

2. SCHEDULE PUBLIC HEARING:

Councilor Whittlesey further MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, May 19, beginning at 7:00 p.m., Remote via Microsoft WebEx, for the purpose of receiving public input and taking action to amend Ordinance No. 18, Salary Plan, Article III, Bargaining Unit Employees, Section A, AFSCME Local #1348/Council AFL-CIO, to implement the results of the 2020 Wage & Classification Study completed by Municipal Resources, Inc.

Seconded by Councilor Liot Hill

1 **Roll Call Vote:**

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

4 None voted Nay.

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

6
7 **D. DISCUSSION & SET PUBLIC HEARING FOR MAY 19, 2021: RESCISSION OF**
8 **PRIOR FUNDING AUTHORIZATIONS AND APPROPRIATIONS FOR NINE (9)**
9 **CAPITAL PROJECTS TOTALING \$1,602,723.62.**

10
11 Finance Director Vicki Lee explained the purpose of this agenda item is to request the City Council to
12 rescind prior authorizations and appropriations for unissued bonds or notes that are no longer required,
13 and therefore will not be issued. Total amount to be rescinded is \$1,602,723.62 and includes prior funding
14 authorization for the following projects:

	APPROPRIATION
15 2018 Landfill Compactor	(\$290,085.00)
16 2011 School St/120s Pedestrian Facility	(\$229,483.97)
17 2015 Packard Hill Bridge #154-113	(\$ 27,773.34)
18 2019 10 Wheel Truck #88 Replacement	(\$ 24,915.00)
19 2019 Miracle Mile Pedestrian & Transit Improvements	(\$800,000.00)
20 2019 LPD Communications Console Upgrade	(\$ 54,313.94)
21 2018 Water Line Capital Improvements	(\$157,137.24)
22 2017 WWTP Underground Fuel Storage Tank	(\$ 6,440.00)
23 2019 Sewer System	<u>(\$ 12,575.13)</u>
24	(\$1,602,723.62)

25
26
27 **ACTION:**

28 *Councilor Liot Hill MOVED, that the Lebanon City Council hereby schedules a public hearing for*
29 *Wednesday, May 19, 2021, remote via Webex, for the purpose of receiving public input and taking*
30 *action to rescind prior funding authorizations and appropriations for nine (9) capital projects*
31 *totaling \$1,602,723.62.*

32 *Seconded by Councilor Heistad.*

33
34 **Roll Call Vote:**

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

37 None voted Nay.

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

39
40 **E. Authorization for Transfer of Unspent Bond Proceeds from the 2013 NH Route 120**
41 **Project to the 2019 Sewer System Rehabilitation Project**

42
43 Finance Director Vicki Lee explained this is money that has not been spent, is bonded, and the project has
44 been completed. This is to simply transfer these funds to another sewer rehabilitation project so money
45 will not have to be borrowed for other appropriations.

46 **ACTION:**

47 *Assistant Mayor Below MOVED the following:*

1
2 **RESOLUTION**

3
4 **FOR THE PURPOSE OF** authorizing the transfer of unspent bond proceeds from the 2013 NH
5 Route 120 Project to the Sewer System Rehabilitation Project.
6

7 **NOW THEREFORE BE IT RESOLVED**, by the City of Lebanon, that New Hampshire RSA 33:3-A
8 of the Municipal Finance Act provides that if after notes or bonds have been issued and no
9 expenditure of the proceeds has been made for the purpose or purposes for which the debt was
10 incurred, or if a balance remains after the completion of the project or projects for which the debt
11 was authorized, a city by a vote of 2/3 of the city council may authorize the expenditure of the sum
12 or sums on hand, including any premiums received, for any purpose or purposes for which bonds
13 or serial notes may be issued for an equal or longer period of time at any time which said sum or
14 any portion thereof remains available; provided, however, that if the sum obtained by issuance of
15 bonds or notes, as aforesaid, or any balance thereof, including any premium, is not appropriated as
16 aforesaid, then the same shall be used to pay the principal of the loan as it matures.
17

18 **NOW THEREFORE BE IT FURTHER RESOLVED**, by the City of Lebanon, that appropriation
19 authority, and associated funding derived from the issuance of bonds, is authorized to be
20 transferred as follows and depicted on page 97 of 99, agenda packet:

Project	Bond Issue/Dated	Unspent Bond Proceeds BEFORE Transfer	Funded Transfer	Unspent Bond Proceeds AFTER Transfer	Project Useful Life
FROM					
2013 NH 120	CS-330092-09	\$292,519.67	(\$292,519.67)	\$0	20 years
TO					
2019 SEWER SYSTEM REHABILITATION	Unissued	\$0	\$292,519.67	\$292,519.67	20 years

21
22 **Seconded by Councilor Heistad.**
23

24 **Roll Call Vote:**

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

27 None voted Nay.

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

30 **F. Authorization for Transfer of Unspent Bond Proceeds from The Dulac Street**
31 **Reconstruction Project to the 20 Spencer Street Cleanup Project**
32

33 Finance Director Vicki Lee explained this is money that has not been spent, is bonded, and the project has
34 been completed. This is to simply transfer these funds to another sewer rehabilitation project so money
35 will not have to be borrowed for other appropriations.
36

ACTION:

Councilor Winny MOVED the following:

RESOLUTION

FOR THE PURPOSE OF authorizing the transfer of unspent bond proceeds from the Dulac Street Reconstruction Project to the 20 Spencer Street Cleanup Project.

NOW THEREFORE BE IT RESOLVED, by the City of Lebanon, that New Hampshire RSA 33:3-A of the Municipal Finance Act provides that if after notes or bonds have been issued and no expenditure of the proceeds has been made for the purpose or purposes for which the debt was incurred, or if a balance remains after the completion of the project or projects for which the debt was authorized, a city by a vote of 2/3 of the city council may authorize the expenditure of the sum or sums on hand, including any premiums received, for any purpose or purposes for which bonds or serial notes may be issued for an equal or longer period of time at any time which said sum or any portion thereof remains available; provided, however, that if the sum obtained by issuance of bonds or notes, as aforesaid, or any balance thereof, including any premium, is not appropriated as aforesaid, then the same shall be used to pay the principal of the loan as it matures.

NOW THEREFORE BE IT FURTHER RESOLVED, by the City of Lebanon, that appropriation authority, and associated funding derived from the issuance of bonds, is authorized to be transferred as follows on the table with the correction of \$7,491.21 to \$7,491.32:

Project	Bond Issue/Dated	Unspent Bond Proceeds BEFORE Transfer	Appropriation & Funded Transfer	Unspent Bond Proceeds AFTER Transfer	Project Useful Life
FROM					
Dulac Street Reconstruction	NHMBB17B/06-16-17	\$7,491.32	(\$7,491.32)	\$0	20 years
TO					
20 Spencer Street CleanupProject	Unissued	\$0	\$7,491.32	\$7,491.21	20 years

Seconded by Councilor Whittlesey.

Roll Call Vote:

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

None voted Nay.

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

G. Authorization for the City Manager to Transfer Appropriated Funds in the Amount of \$37,910 from the Finance Department to the Department of The City Clerk to Facilitate the Reorganization of Each Department

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

6
7 To assist in the transition, the tax collection functions currently managed by Finance are being moved
8 under the umbrella of the City Clerk. In this, the positions of City Clerk and Tax Collector are being
9 combined; and the position of Deputy Tax Collector (Grade 8) is being moved from Finance to City
10 Clerk. Funding for the position of Deputy Tax Collector is currently located in the Finance Department
11 and must be transferred to the City Clerk for accounting purposes.

12
13 ***Councilor Sykes MOVED, that in accordance with City Charter C419:45, Transfer of***
14 ***Appropriations, the City Council hereby authorizes the City Manager to transfer unencumbered***
15 ***appropriated funds in the amount of \$37,910 from the Finance Department to the Department of***
16 ***the City Clerk to facilitate the reorganization of each department.***

17 ***Seconded by Councilor Heistad.***

18
19 **Roll Call Vote:**

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

22 None voted Nay.

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

24
25 **11. City Manager Report:**

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

- 27 • Drought conditions for our area.
- 28 • Westboro Yard: Will need assistance in pushing the NH DOT for the larger lease area.
- 29 • 1B Airport Industrial Park: Bids came in under budget and the City will actually have enough
30 funds available to do both Phase I and Phase II, noting it will be cheaper to do both projects at the
31 same time. Mayor McNamara concurred with the City Manager. This is a good investment as it
32 will open up five (5) lots instead of two (2). The Council had no objections.
- 33 • 20 Spencer Street: Testing for PCB will need to be expanded to a larger area and will be an
34 expensive proposition.
- 35 • Opera House: They have an interest in taking over the entire 3rd floor of the building and would
36 like to utilize the current Cyber Services space for a concession stand. This would require Cyber
37 Services to be moved to an off-site area. He suggested profit sharing from the sale of alcohol and
38 other concessions to offset the cost of leasing space for Cyber Services.

39
40 The Council discussed the idea of profit sharing and their support for the Arts District. The City
41 Manager will move forward with this proposal and report back to the City Council as it
42 progresses.

43
44 ***Councilor Liot Hill MOVED to extend the meeting by 15 minutes.***

45 ***Seconded by Councilor Wilkie.***

1 **Roll Call Vote:**

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

4 None voted Nay.

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

7 **The meeting was extended to 10:15 PM.**

9 **City Manager Report – continued.**

- 10 • Downtown area events for this summer/fall: Councilor Liot Hill felt we should talk about these
- 11 large gatherings, especially if the Council is discussing lifting the Mask Ordinance.
- 12 • National League of Cities & Towns regarding racial adversity and equity. Information was sent
- 13 to the Council. Staff selected as facilitators will receive appropriate training provided by the
- 14 National League of Cities & Towns.
- 15 • Mechanic Street, High Street and the Mascoma Street round-a-bout will be submitted to
- 16 Congresswoman Kuster's office as one of the 10 projects they will be submitting to Congress for
- 17 infrastructure funding.

19 **12. Council Representatives to Other Bodies Reports: None**

21 **13. Future Agenda Items: None**

23 **14. Non-Public Session: None**

25 **15. Adjournment:**

27 *Assistant Mayor Below MOVED for adjournment.*

28 *Seconded by Councilor Heistad.*

30 **Roll Call Vote:**

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

33 None voted Nay.

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

36 **The meeting was adjourned at 10:04 PM.**

38 Respectfully submitted,

39 Dona E. Gibson

40 Recording Secretary

**AGENDA
LEBANON CITY COUNCIL
MAY 5, 2021**

7. APPOINTMENTS:

APPOINTMENTS

Board/Committee Appointments as presented by City Clerk Kristin Kenniston

- Pedestrian & Bicyclist Advisory Committee, Amy Chan (Citizen Member)
- Arts & Culture Commission, Gavin Fischer (Ward 2 Citizen Member)

Included in this Section:

1. Memo from City Clerk Kristin Kenniston dated April 27, 2021

OFFICE OF THE CITY CLERK

MEMORANDUM

DATE: April 27, 2021

TO: The Honorable Mayor & City Council

FROM: Kristin M. Kenniston, City Clerk

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

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

Pedestrian and Bicyclist Advisory Committee

- **Amy Chan** – Appointment as a Citizen Member to fill an unexpired term.
Interviewed by: Councilor Heistad
Term (5/21 – 8/23)

Arts and Culture Commission

- **Gavin Fischer** – Appointment as a Ward 2 member for a three-year term.
Interviewed by: Councilor Wilkie
Term (5/21 – 5/24)

From: [Alesia Williams](#)
To: [Kristin Kenniston](#)
Subject: FW: [EXTERNAL]Online Form Submission #4766 for Board Member Application
Date: Wednesday, March 31, 2021 7:47:03 AM

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

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Website: lebanonnh.gov
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From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Tuesday, March 30, 2021 4:22 PM
To: cityclerk@lebanonnh.gov; webmaster@lebcity.com
Subject: [EXTERNAL]Online Form Submission #4766 for Board Member Application

Board Member Application

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

Basic Requirements

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

(Section Break)

First Name Amy

Last Name	Chan
Physical Address	74 young street
City	Lebanon
State	Nh
Zip Code	03766
Is this your mailing address?	Yes
Home Phone Number	8029226055
Work Number	<i>Field not completed.</i>
Email Address	Amyjoywright@hotmail.com
How long have you resided in Lebanon?	14 years
(Section Break)	
Is this an application for re-appointment?	This application is not for re-appointment.
For which board, committee, or commission are you applying?	Pedestrian and Bicycle Advisory Committee
Other Committee	<i>Field not completed.</i>
Why would you like to serve?	I would like to help improve bicycling safety and connectivity in Lebanon as well as represent the concerns and provide v the support of the FNRT (now under unified leadership for both counties) The NRT seat has been empty since Ken retired.
State a few of what you feel your qualifications are or why you wish to be appointed to this board / committee.	I have been asked by the new FNRT board to represent them by filling the empty seat. My hope is to maximize the benefits of the trail for all the towns it crosses through. Working collaboratively to connect FNRT and Lebanon Ped Bike Committee enhances the mission of both groups.
Certification	I hereby certify that I meet the basic requirements for applying to a Lebanon board / committee.

Councilor Interview Report Form

Councilor Name: Erling Heistad

Date of Interview: April 16, 2021

Applicant Name: Amy Chan

Board(s) to Which Applied: Ped Bike Advisory

☒ Regular Seat: Friends of the Northern Rail Trail representative

Has Applicant Attended Meeting of Board to Which Applying? ☒ Yes

(If yes, indicate date of meeting.) Date: March and April 2021

Recommend Appointment: ☒ Yes

☒ Regular Seat: Friends of the Northern Rail Trail Rep.

General Comments: I had an engaging conversation with Amy. She and her family are avid bicyclists and recently completed a 3 day trip on the cross New Hampshire trail. She has been involved with the Friends of the Northern Rail trail in Merrimack County and they have asked her to represent the Northern Rail Trail interests in Lebanon. Amy and her family have lived in Lebanon for 14 years and she is very eager to work towards safer routes for pedestrians and bicyclists in Lebanon as well being the contact to the Friends of the Northern Rail Trail.

I am happy to nominate Amy to a regular seat on Ped Bike Advisory as I feel she will be an excellent advocate for Lebanon's pedestrian and bicycle community.

(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 work to improve safe connected avenues through the city for pedestrians and bicyclists.

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?

Amy has attended the last two meetings and looks forward to further involvement with the committee.

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?

Amy is a registered nurse and so is accustomed to working with groups to a common end. She has not served on a city wide committee previously.

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?

Amy is interested in learning more about pedestrian and bicycle safety.

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?

To find the funding for projects which will allow the city to make changes which will increase the safety and connectivity of pedestrian and bicycle routes.

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

To find ways to facilitate design and construction of additional safe routes for bicyclists and pedestrians.

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

Promote ways for the committee to host events for young people in the city which will increase their awareness and understanding of safety considerations and bicycle maintenance. She would like to see a bike week camp for kids focused around safe bicycling maintenance and use.

From: [Alesia Williams](#)
To: [Kristin Kenniston](#)
Subject: FW: [EXTERNAL]Online Form Submission #4861 for Board Member Application
Date: Wednesday, April 7, 2021 2:12:12 PM

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

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Website: lebanonnh.gov
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From: noreply@civicplus.com <noreply@civicplus.com>
Sent: Wednesday, April 7, 2021 1:57 PM
To: cityclerk@lebanonnh.gov; webmaster@lebcity.com
Subject: [EXTERNAL]Online Form Submission #4861 for Board Member Application

Board Member Application

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

Basic Requirements

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

(Section Break)

First Name Gavin

Last Name	Fischer
Physical Address	30 Guyer Street
City	Lebanon
State	NH
Zip Code	03766
Is this your mailing address?	Yes
Home Phone Number	802 881 5235
Work Number	<i>Field not completed.</i>
Email Address	Gwwfischer@gmail.com
How long have you resided in Lebanon?	<i>Field not completed.</i>
(Section Break)	
Is this an application for re-appointment?	This application is not for re-appointment.
For which board, committee, or commission are you applying?	Arts and Culture Commission
Other Committee	<i>Field not completed.</i>
Why would you like to serve?	I have lived in Lebanon for nearly 3 years now and I am a strong believer in building community through fostering the arts in public spaces. I have had the pleasure of living in culturally progressive cities; Burlington VT and Asheville NC. I've also spent time in Bend OR, Oakland CA, Richmond VA and Austin TX. Although each of those cities is unique in it's history, demographics and geography, I experienced a sense of vibrant and cohesive community in all of them. The arts were thriving in the public spaces with large murals, free concerts and festivals, "art-hops", food trucks and drum circles, it seemed like there was always something happening just around the corner that would draw people out of their houses and into an exciting and engaging communal space that welcomed and encouraged endless expressions of individualism but ultimately created a shared sense of pride and identity with the city itself.

I believe that Lebanon is already moving in this direction, but now with more young families taking up in the area, new businesses taking root, the renovations of the downtown mall, rail trail & tunnel, new sidewalks in Colbourn park and a likely return to normal as we approach "herd immunity" from COVID-19, it seems to me that the time is very ripe for Lebanon surge into a role as the local hub for arts, culture and community and I would love to be a part of that.

State a few of what you feel your qualifications are or why you wish to be appointed to this board / committee.

I am a life-long artist and New England native. I grew up in and around Montpelier VT where I experienced many opportunities to engage with the arts from a young age. In high-school I took art classes, shot and edited skate-videos and worked summers at Camp Downer in Sharon where I led classes in mural painting and cartooning. I attended UVM where I minored in studio art and worked for the Student Life department as a marketing assistant/graphic designer. During my time at UVM I also volunteered with the Burlington Skatepark Coalition co-creating events to raise money and generate public support for the new waterfront skatepark. While living in Asheville I became interested in spoken-word poetry and began writing and eventually performing at open-mics. I was a founding member of the revived Asheville SLAM team which later became the Asheville Humans and Poetry Collective. Since moving back to the northeast and settling into life in Lebanon I have been consistently engaged in the arts: I've frequented local theaters, open-mics, museums, galleries and bookstores; strummed banjo at the Upper Valley Music Center "slow jam"; taken painting classes and competed in poetry Slams at Artistree; attended readings and writing workshops at BookStock; organized and hosted open mics at Lucky's Coffee Garage (where I'm currently employed as general manager); and I've been consistently involved with the AVA gallery- first volunteering with the CAOS for toddlers program, then co-creating a story-sharing event called Our Common Thread (www.joinourcommonthread.com) and most recently hosting a weekly "art mixer" event called Expression Session (although we have been on hiatus due to the COVID surge this past winter). In addition I worked with AVA and the Rec, Arts and Parks department to create the #LightUpLeb JackOlantern walk this past Halloween and I was in close conversation with Devin Wilkie about the Riverside Graffiti Park concept at it's inception. Ultimately I am a person who loves engaging with art in all of it's various forms. I strongly believe that both creative expression and a sense of belonging are fundamental to good mental health and both of those things can be nurtured in the public sphere and that is why I would like to be part of this commission.

Certification

I hereby certify that I meet the basic requirements for applying to

Councilor Interview Report Form

Councilor Name: Devin R. Wilkie

Date of Interview: 26 April, 2021

Applicant Name: Gavin Fischer

Board(s) to Which Applied: Arts & Culture Commission

☒ Regular Seat

☐ Alternate Seat

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

(If yes, indicate date of meeting.) Date: 22 September 2020

Recommend Appointment: ☒ Yes ☐ No

☒ Regular Seat

☐ Alternate Seat

General Comments: Gavin Fischer is a dedicated member of the Lebanon community and a strong advocate for the arts, and I am happy to recommend him for the commission without reservation.

(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 enrich the Lebanon community with publicly accessible art events and installations and to support arts in Lebanon whenever possible.

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 yes — will plan for regular meetings and for other events and meetings.

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?

AVA volunteer in multiple capacities, including starting up a storytelling organization; has been paying close attention to commission projects and had initially recommended the graffiti wall project; involved in Burlington Skate Park Coalition — gaining public support, fundraising, design, etc.

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

Yes, and already doing so – heavily involved in arts and in community building.

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?

Budget limitations – just so much funding for so many great ideas

Also getting public buy-in for arts funding and installations / projects

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

Influx of population – moment is ripe for making Lebanon an arts hub. People can now move out of big urban centers and will be exploring other communities to make their home; we can show Lebanon's artistically and culturally progressive values and opportunities. Rail Trail offers more space and increased access throughout the community and also increasingly from Vermont, so it will be an ideal focus for creating public spaces for people to want to visit and enjoy. Also, as we come to a close on the pandemic, people will want to come out, so we may see a surge of interest in arts and community and in getting involved, such as we saw with bicycling in 2020.

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

Generating more ideas for future projects: would be cool to see frequent and diverse use of outdoor stages (such as at Colburn Park) and the Mall, including theater, open mic, music, etc.; share word of events and installations via social media, website, etc. to promote work and nod to artists (including perhaps a "graffiti wall art of the week" item that could be a digital record for ever-changing artwork); collaborate with art teachers to assign students to do mural art as a practice in legal street art, a form that often doesn't get much attention despite its clear value and interest; sonic play space, like a musical playground, perhaps accessible from the Rail Trail — this would be a big investment, but it would be great to start discussing and possibly planning this; present the jack-o-lantern "Light Up Leb" event on a larger scale in 2021 and going forward, and consider other community participation projects and collaborations; many more great opportunities to consider and brainstorm.

**AGENDA
LEBANON CITY COUNCIL
MAY 5, 2021**

9. OLD BUSINESS:

**9.A - PRESENTATION OF SECOND READING: AMEND AFSCME WAGE
SCHEDULE IN ORDINANCE NO. 18 TO
IMPLEMENT CHANGES PROPOSED AS PART OF THE 2020 WAGE &
CLASSIFICATION STUDY COMPLETED BY MUNICIPAL RESOURCES, INC.**

BACKGROUND

While negotiating with AFSCME Local #1348/Council 93 AFL-CIO in 2019, the City agreed to provide an independent wage and classification study to review all full-time AFSCME positions. Municipal Resources Incorporated (MRI), was contracted to perform the study which included a thorough market analysis and comprehensive review of each position within the bargaining unit.

The market analysis compared average, minimum, and maximum salaries with the towns of Bedford, Dover, Durham, Hampton, Hanover, and Hooksett; and the cities of Claremont, Concord, and Keene.

The comprehensive review of job positions was a collaboration between employees, department heads and MRI staff. Each employee was charged with reviewing their individual job descriptions and completing a position analysis questionnaire. Department Heads met with employees and finalized job descriptions based on department needs and operations. MRI then analyzed, measured, and compared against a common set of criteria in a systematic and objective manner utilizing a point-factor evaluation to arrive at an assigned salary grade.

The proposed Wage & Classification Plan includes grades that combines the point-factor system, market data, and other unique qualities that pertain to the City of Lebanon.

Gloria Leskiewicz, Human Resources Director, will be present to discuss the proposed amendment and answer any questions the Council may have.

Process to Amend Ordinance No. 18

Amending Ordinance No. 18 requires three separate presentations (see City Charter subsections 419:22, 419:24, 419:25, 419:52) followed by a public hearing and the vote of at least two-thirds (2/3) of all members of the City Council – six (6) members - to adopt.

The first presentation was recognized by the Council on April 21, 2021. The Council is now asked to recognize the second of the three presentations. The third presentation will follow on May 19, along with a public hearing to adopt the amendments as proposed.

ACTION

The following motion is offered for consideration:

1. ACKNOWLEDGE SECOND PRESENTATION:

MOVED, that the Lebanon City Council acknowledges the second of three presentations to amend Ordinance No. 18, Salary Plan, Article III, Bargaining Unit Employees, Section A, AFSCME Local #1348/Council AFL-CIO, to implement the results of the 2020 Wage & Classification Study completed by Municipal Resources, Inc.

*Changes to the compensation and classification schedules are shown **red italics** to delete the position from the current grade, and in **blue italics** type to reclassify the position in the new grade. No wage rate adjustments are proposed as a result of this study.*

AFSCME POSITIONS	
GRADE	POSITION(s)
1	Laborer
2	Utility Operator Trainee
3	Operator; Maintainer ; Recycling Attendant; Construction Utility Operator I; Meter/Backflow Technician; Scale Technician
4	Light Equipment Operator; Airport Maintenance Technician; Utilities Plant Operator
5	Heavy Equipment Operator; Utilities Operator I; Airport Maintenance Specialist; Water Plant Operator; Wastewater Plant Operator Maintainer (Cemetery Crew Leader); Utilities Operator I;
6	Parks & Grounds Crew Foreman ; Mechanic; Water Treatment Plant Operator; Wastewater Treatment Plant Operator ;
7	Electrician ; Laboratory Technician/ Utilities Plant Operator; Airport Maintenance Foreman; Parks & Grounds Crew Foreman ; Utilities Maintenance Mechanic; Engineering Technician;
8	Electrician ; Foreman;
9	Chief of Quality Assurance

AFSCME LOCAL 1348 - 2021 SALARY GRADES 1.5% GWI

<u>Minimum</u>	<u>Maximum</u>						
<u>Grade</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>
1	17.31	17.84	18.39	18.91	19.46	20.01	20.52
2	18.66	19.24	19.84	20.42	21.01	21.58	22.15
3	20.12	20.77	21.42	22.06	22.71	23.33	23.99
4	21.74	22.45	23.14	23.85	24.54	25.25	25.98
5	23.52	24.31	25.07	25.83	26.59	27.36	28.16
6	25.51	26.32	27.15	27.96	28.81	29.63	30.49
7	27.61	28.51	29.41	30.33	31.23	32.13	33.05
8	29.89	30.89	31.87	32.87	33.83	34.84	35.87
9	31.43	32.48	33.54	34.59	35.66	36.70	37.79

**AGENDA
LEBANON CITY COUNCIL
MAY 5, 2021**

10. NEW BUSINESS:

10.A – FINANCIAL OUTLOOK AND CITY COUNCIL EXPECTATIONS FOR 2022

BACKGROUND

In preparation for the FY 2022 budget process, the Finance Department will be presenting data to provide projections and the financial outlook for fiscal years 2022 through 2024.

ACTION

No action is required. Item is for informational purposes only.

Included in this Section:

1. May 5, 2021 Finance Department Memorandum RE: Financial Outlook
2. 2021 Financial Outlook PowerPoint



CITY OF LEBANON

FINANCE DEPARTMENT

51 North Park Street
Lebanon, NH 03766

Phone: (603) 448-0682
email: Finance@LebanonNH.gov

To: Mayor and City Council

From: Finance Department

Date: May 5, 2021

Re: Financial Outlook

While the COVID-19 pandemic continues to present cause for financial concern in FY 2021, the City appears to have come through FY 2020 with positive results of operations (unaudited), and we continue to monitor financial trends to insure that future outcomes will provide similar results. The FY 2022 budget process began with the update of the Annual Outcomes & Work Plan last week and culminates with the public hearing on the budget in mid-December. The Finance Department has gathered data to provide our projections and financial outlook for fiscal years 2022 through 2024.

The next several weeks will include key elements that will help shape the City's financial path, including completion of the audit of the City's FY 2020 financial statements, and construction of the 2022 Capital Improvement Plan (CIP FY 2022 – FY 2027) scheduled for completion in August.

FINANCIAL OUTLOOK 2022 – 2024

As has been the case with recent reports pertaining to the City's financial outlook, much of the information being presented has been formulated without consideration for the addition or reclassification of personnel, the expansion of existing services, activities or programs, or new initiatives. The Finance Department continues to gather information from departments and gain an understanding of past and future trends and assumptions as a basis for providing prudent financial guidance.

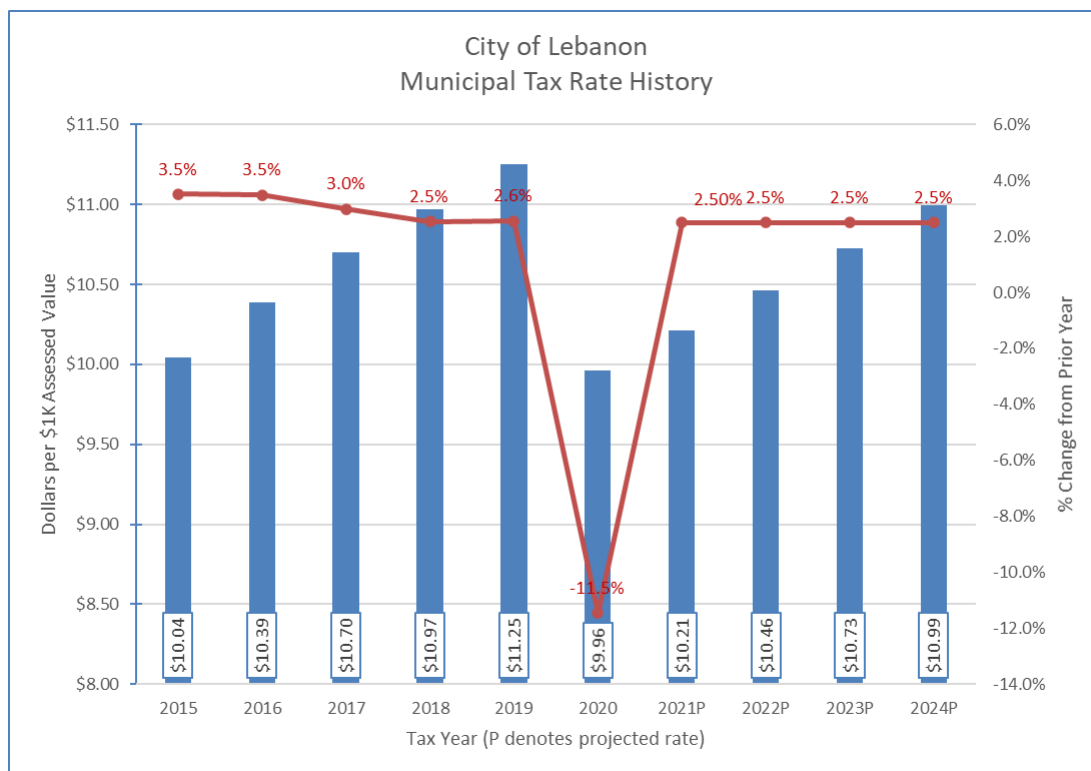
While future debt service requirements will continue to be the focal point and a key component that will impact the City's tax rate, as well as water and sewer service rates over the next three budget years, impending completion of the expansive Combined Sewer Overflow Separation and Utility Replacement Project (CSO) by the end of late 2021 will allow the City to begin shifting its attention to other capital needs. The Finance Department will continue to evaluate strategies to effectively manage project funding, to minimize the rate impact of future debt service, and continue to employ a system of debt issuance that limits new debt issuance equal to the level of currently expiring debt (viewed over the fixed six-year capital improvement plan period 2021-2026).

With the Combined Sewer Overflow Separation and Utility Replacement project (CSO) rapidly approaching conclusion (currently estimated at November 2021), we can forecast future debt service requirements with more clarity. Approximately \$15.5 million dollars in State Revolving Fund Loans will begin repayment in FY 2021, while another \$1.9 million is slated to begin repayment in 2022. Combined with approximately \$3 million in required matching funds (general obligation debt related to CSO which will be issued in 2021 and begin repayment in 2022), a total of \$20.4 million dollars will have been added to the City's debt service total during fiscal years 2021 and 2022.

As was proposed in our financial outlook report from May 2020, the City's reserves were sufficient to cover the approximately \$1.3 million dollar increase in general fund debt service in fiscal year 2021. After a leveling off in fiscal year 2022 (as compared to 2021), there is estimated to be another significant increase in general fund debt service in 2023. Reserves also appear to be sufficient to help reduce the impact of this increase (estimated at \$661,134).

ESTIMATED TAX RATES

The current estimated tax rate for 2021 is \$10.21 which is an increase of \$0.25 or 2.5% from 2020. We are moving forward with previous tax rate projections which suggested a 2.5% inflation in the rate for fiscal years 2022-2024. The chart below presents a brief history of the City's municipal tax rate and the year-over-year percent change, including projections through 2024.



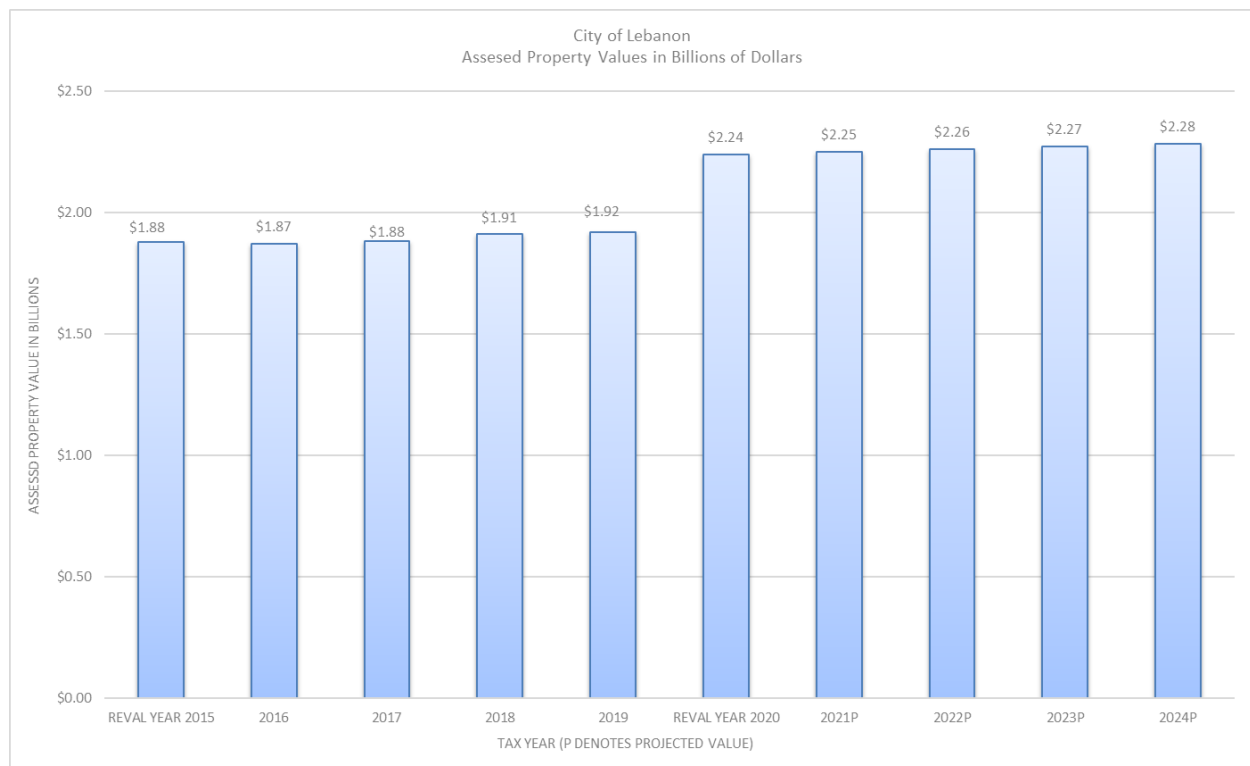
With respect to the 2.5% inflation rate being projected for 2022 through 2024, we noted that the average year-over change in the municipal tax rate for the ten years prior to 2020 (2010,

2015 and 2020 were revaluation years and were not included in this average) has been 2.4%. The table below is an example of the impact that can be expected on a home valued at \$250,000 based on the above estimated tax rates.

Tax Rate for \$250,000 Home				
Tax Year (1)	Tax Rate (2)	% Inc/(Dec)	Annual Tax Bill	Inc/(Dec) over Prior Year
2019	\$11.25	2.55%	\$2,812.50	\$70.00
2020	\$9.96	-11.47%	\$2,490.00	(\$322.50)
2021	\$10.21	2.50%	\$2,552.25	\$62.25
2022	\$10.46	2.50%	\$2,616.06	\$63.81
2023	\$10.73	2.50%	\$2,681.46	\$65.40
2024	\$10.99	2.50%	\$2,748.49	\$67.04
(1) Actual rate for 2020, estimated rates for 2021 - 2024.				
(2) Municipal tax rate only. Total tax rate includes education and county components				

BUDGETARY CONSIDERATIONS

One of the important components of the annual tax rate setting process is the change in assessed property values. The City completed a revaluation process in 2020 and this was the primary factor causing the tax rate to be reduced by 11.47% from 2019. We are currently assuming a ~~-0.5%~~ .5% increase in assessed values annually for tax years 2021-2024. The following chart presents a brief history of assessed property values and indicates projected new growth.



The City's General Fund operating and capital budgets, in total, comprise the spending plan that dictates the City's municipal tax rate component. The following are cost drivers that are estimated to have impact on the FY 2022 operating budget proposal that will be submitted by the City Manager at the end of October 2021.

- Multi-year contract with each of the City's four bargaining units took effect on January 1, 2019, and each of those contracts contains provisions for a general wage increase (GWI) ranging from a minimum of 1.5% to a maximum of 3.0% based on the Consumer Price Index-Northeast Region Urban Customers (CPI-U) for the 12 months ended June 30th. In June 2019 that index produced a GWI of 1.6%, for 2020 that index produced a GWI of 1.5%. While the final GWI rate cannot yet be determined for 2021, the following table presents the trend in the CPI-U rate since last June.

2020						
June	July	Aug	Sept	Oct	Nov	Dec
.8%	1.1%	1.1%	1.2%	1.1%	1.1%	1.4%

2021		
Jan	Feb	March
1.1%	1.2%	2.1%

- Health insurance premiums -The Finance Department will be in communication with its healthcare administrator (Health Trust) to facilitate the rate assumptions that will be used to develop the FY 2022 budget. Final rates for FY 2022 will not be available to the City until October 2021.
- Retirement rates will increase substantially for all employee groups beginning in July 2021. When compared to amounts budgeted for pension benefits in FY 2021, these rate increases could result in the need for over \$200,000 in additional appropriations in FY 2022 (when compared to FY 2021, and not considering approved 2022 wage increases). The following chart shows the approved NHRS rate increases:

Employee Group	Rates		% Increase
	7/1/19-6/30-21	7/1/21-6/30/23	
Employees	11.17%	14.06%	25.9%
Police	28.43%	33.88%	19.2%
Fire	30.09%	32.99%	9.6%

- As shown in the following table, debt service requirements will slightly decrease in the general fund in 2022 (\$134,448 decrease when compared to 2021), before increasing an estimated \$661,134 in 2023. As was mentioned earlier in this memo, the City's general fund reserves can potentially serve as an offset to the increase being forecasted in 2023, mirroring what was done to offset the large debt service increase experienced from 2020 to 2021.

General Fund									
FY	2020	2021	Inc. / (Dec.)	2021	2022	Inc. / (Dec.)	2022	2023	Inc. / (Dec.)
Principal	\$ 2,754,440	\$ 3,558,782	\$ 804,342	\$ 3,558,782	\$ 3,530,273	\$ (28,509)	\$ 3,530,273	\$ 3,983,035	\$ 452,762
Interest	\$ 1,044,604	\$ 1,441,487	\$ 396,883	\$ 1,441,487	\$ 1,324,178	\$ (117,309)	\$ 1,324,178	\$ 1,523,831	\$ 199,653
Total Gen Fund	\$ 3,799,044	\$ 5,000,269	\$ 1,201,225	\$ 5,000,269	\$ 4,854,451	\$ (145,818)	\$ 4,854,451	\$ 5,506,866	\$ 652,415
Less: TIF Funded		\$ (297,903)	\$ (297,903)	\$ (297,903)	\$ (286,533)	\$ 11,370	\$ (286,533)	\$ (277,814)	\$ 8,719
Net Gen Fund	\$ 3,799,044	\$ 4,702,366	\$ 903,322	\$ 4,702,366	\$ 4,567,918	\$ (134,448)	\$ 4,567,918	\$ 5,229,052	\$ 661,134
Tax Impact	\$ 1.70	\$ 2.10	\$ 0.40	\$ 2.10	\$ 2.04	\$ (0.06)	\$ 2.04	\$ 2.34	\$ 0.30

Not included in 2022's budget is the "one time" cost of the new financial software package of \$400,000.

Also, there will not be an Airport subsidy due to the general fund in 2022 and 2023 due to the Airport Coronavirus Response Grant Program (ACRGP) reimbursement that the Airport received.

CONTINUING THE PROPOSED 2020 FINANCIAL PLAN

Having updated the data considered in submitting our proposed plan from May 2020, we suggest continuing to carry out that plan. Specifically, utilizing the City's general fund reserves to offset any future increases in debt service, and moving forward with the rate proposals for both the Water and Sewer funds. Debt service inflation will continue to be a prime consideration in future budgets; however, the focus will shift from completion of the CSO project to the City's significant other capital needs. Estimated new debt service to be issued in 2021 and 2022, across all funds, is shown in the table below:

PROJECT COMPLETION IN FY 2021 (REPAYMENT BEGINS IN FY 2022)						
Description	All Funds	General	Water	Sewer	Landfill	Airport
Combined Sewer Overflow Separation and Utility Replacement						
State Revolving Fund	\$ 1,856,000	\$ 742,400	\$ 556,800	\$ 556,800	\$ -	\$ -
General Obligation	\$ 3,000,000	\$ 1,200,000	\$ 900,000	\$ 900,000	\$ -	\$ -
Total CSO	\$ 4,856,000	\$ 1,942,400	\$ 1,456,800	\$ 1,456,800	\$ -	\$ -
Total to be Issued 2021, Repayment Begins 2022	\$ 4,856,000	\$ 1,942,400	\$ 1,456,800	\$ 1,456,800	\$ -	\$ -
PROJECT COMPLETION IN FY 2021 (REPAYMENT BEGINS IN FY 2022)						
Description	All Funds	General	Water	Sewer	Landfill	Airport
City Hall Renovations	\$ 158,331	\$ 158,331	\$ -	\$ -	\$ -	\$ -
DPW Fleet Mobile Lift	\$ 76,000	\$ 76,000	\$ -	\$ -	\$ -	\$ -
Lebanon Sewer System Rehabilitation	\$ 945,000	\$ -	\$ -	\$ 945,000	\$ -	\$ -
Total to be Issued 2021, Repayment Begins 2022	\$ 1,179,331	\$ 234,331	\$ -	\$ 945,000	\$ -	\$ -
PROJECT COMPLETION IN FY 2022 (REPAYMENT BEGINS IN FY 2023)						
Description	All Funds	General	Water	Sewer	Landfill	Airport
Combined Sewer Overflow Separation and Utility Replacement						
State Revolving Fund	\$ 300,675	\$ 120,275	\$ 90,200	\$ 90,200	\$ -	\$ -
General Obligation	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total CSO	\$ 300,675	\$ 120,275	\$ 90,200	\$ 90,200	\$ -	\$ -
Airport TIF District Infrastructure Improvements	\$ 1,929,700	\$ -	\$ -	\$ -	\$ -	\$ 1,929,700
Lebanon Library Renovation	\$ 1,420,210	\$ 1,420,210	\$ -	\$ -	\$ -	\$ -
Kimball Street Infrastructure Improvements - Road, SW, Curb-Drain	\$ 1,720,000	\$ 688,000	\$ 516,000	\$ 516,000	\$ -	\$ -
Spencer Street Improvements	\$ 1,000,000	\$ 1,000,000	\$ -	\$ -	\$ -	\$ -
Huber Sludge Dewatering Press	\$ 275,000	\$ -	\$ -	\$ 275,000	\$ -	\$ -
Mill Rd Slope Stabilization	\$ 450,000	\$ -	\$ -	\$ 450,000	\$ -	\$ -
Fire Station #2 Replacement	\$ 5,665,000	\$ 5,665,000	\$ -	\$ -	\$ -	\$ -
Trues Brook Road Bridge Replacement #066-059	\$ 887,947	\$ 887,947	\$ -	\$ -	\$ -	\$ -
Mack Avenue Infrastructure Improvements - Road, SW, Curb-Drain	\$ 100,100	\$ 40,040	\$ 30,030	\$ 30,030	\$ -	\$ -
Septage Receiving Facility - WWTP Upgrade	\$ 50,000	\$ -	\$ -	\$ 50,000	\$ -	\$ -
Valley Cemetery - Maintenance Building Replacement	\$ 405,000	\$ 405,000	\$ -	\$ -	\$ -	\$ -
Parks Storage & Maintenance Building	\$ 120,000	\$ 120,000	\$ -	\$ -	\$ -	\$ -
Landfill Gas to Energy Project	\$ 1,500,000	\$ -	\$ -	\$ -	\$ 1,500,000	\$ -
Total to be Issued 2022, Repayment Begins 2023	\$ 15,823,632	\$ 10,346,472	\$ 636,230	\$ 1,411,230	\$ 1,500,000	\$ 1,929,700
Total Authorized and Unissued Debt as of 12/31/2020	\$ 21,858,963	\$ 12,523,203	\$ 2,093,030	\$ 3,813,030	\$ 1,500,000	\$ 1,929,700

Our prior plan assumed rate increases of 8% in the Water Treatment and Distribution Fund (Water Fund) and 7.2% in the Sewage Collection and Disposal Fund (Sewer Fund) through fiscal year 2023, and 3% in the Water Fund and 2.5% in the Sewer Fund in fiscal years 2024 through 2026. The tables below represent our projections for both funds through 2026, maintaining these inflationary revenue assumptions, and using the expenditure assumptions listed therein:

Water Fund						
Description	2021	2022	2023	2024	2025	2026
Expenditures						
Operations	1,729,980	1,773,230	1,817,560	1,862,999	1,909,574	1,957,314
Debt Service	1,437,240	1,717,774	1,732,961	1,717,377	1,695,218	1,622,784
Admin Overhead and Other	557,070	578,111	584,274	590,559	596,970	603,510
Total Projected Expenditures	3,724,290	4,069,115	4,134,795	4,170,935	4,201,763	4,183,607
Projected Revenues	4,130,550	4,254,467	4,382,100	4,513,564	4,558,699	4,604,286
Projected Net Revenue (Expense)	406,260	185,352	247,306	342,628	356,937	420,679
Assumptions:						
2.5% Inflation in operational expenditures						
Debt Service as currently projected						
2% inflation in administrative overhead						
3% inflation in annual revenues 2022-2024						
1% inflation in annual revenues 2025-2026						

Sewer Fund						
Description	2021	2022	2023	2024	2025	2026
Expenditures						
Operations	3,356,830	3,457,535	3,561,261	3,668,099	3,778,142	3,891,486
Debt Service	2,896,970	2,986,535	3,042,946	3,049,590	2,985,560	3,617,751
Admin Overhead and Other	875,190	885,022	895,051	905,281	915,715	926,358
Total Projected Expenditures	7,128,990	7,329,092	7,499,258	7,622,970	7,679,417	8,435,595
Projected Revenues	7,368,570	7,810,684	8,279,325	8,776,085	8,995,487	9,220,374
Projected Net Revenue (Expense)	239,580	481,592	780,067	1,153,115	1,316,070	784,779
Assumptions:						
3% Inflation in operational expenditures						
Debt Service as currently projected						
2% inflation in administrative overhead						
6% inflation in annual revenues 2022-2024						
2.5% inflation in annual revenues 2025-2026						

In our previous report, we had projected that the Water Fund would be in a potential deficit position in years 2021-2025, and we suggested that utilizing fund balance reserves to offset these deficits would be prudent. A year later, we know that the debt previously estimated as necessary to accommodate the CSO project is less than expected. As a result, both the water fund and sewer fund are now projected to be revenue positive over the next several years. Like the general fund, this fact coupled with adequate fund reserves affords the opportunity to use such reserves to offset future water and sewer fund capital needs.

In the Solid Waste Disposal fund the impact of new debt service is related to completion of the Landfill Gas to Energy project which we had previously estimated to be completed during fiscal year 2021. We now estimate completion of the project in 2022, with debt service being issued in that year and repayments beginning in fiscal year 2023. The schedule below shows the impact of that project's completion on debt service expenditures.

Solid Waste Disposal Fund									
FY	2020	2021	Inc. / (Dec.)	2021	2022	Inc. / (Dec.)	2022	2023	Inc. / (Dec.)
Principal	\$ 295,000	\$ 295,000	\$ -	\$ 295,000	\$ 295,000	\$ -	\$ 295,000	\$ 370,000	\$ 75,000
Interest	\$ 59,000	\$ 47,200	\$ (11,800)	\$ 47,200	\$ 35,400	\$ (11,800)	\$ 35,400	\$ 68,600	\$ 33,200
Total	\$ 354,000	\$ 342,200	\$ (11,800)	\$ 342,200	\$ 330,400	\$ (11,800)	\$ 330,400	\$ 438,600	\$ 108,200

We have yet to determine whether the fund's annual revenues can absorb the FY 2023 debt service expenditure increase, but as of 12/31/2020 the fund's unassigned fund balance (unaudited) is \$2,906,979. It would appear the reserves can offset the expenditure increase if such is deemed necessary.

Fund Balance

It is the policy of the City of Lebanon to maintain unassigned fund balance in the general fund between 19% and 24% of general fund revenues measured on a GAAP basis. The National GFOA (Government Finance Officers Association) recommendation is "...at a minimum, that general purpose governments, regardless of size, maintain unrestricted fund balance in their general fund of no less than two months of regular general fund operating revenues or general fund operating expenditures."

According to the City's fund balance policy, "the City considers a balance of less than 19.0% to be a cause for concern and considering factors or circumstance that may require a higher than normal maximum level of Unassigned Fund Balance, a balance of more than 24% as excessive". "In the event unassigned fund balance is less than 19.0%, restorative steps shall be taken in the immediate subsequent fiscal years."

In the several years prior to 2021, general fund reserves were intentionally built to cover payments estimated to be necessary for the CSO project that we knew would be completed by 2021. In 2021, the City's budgetary plan includes the use of \$1.3 million in general fund reserves to cover the increased debt service costs included therein. We propose a similar plan to offset the estimated \$661,134 increase in debt service that will occur in 2023. By using reserves in this manner, and by utilizing reserves to help fund future capital projects, we can move reserve balances to a level more in line with the 24% maximum level required by the City's fund balance policy. Below is the history of spendable fund balance for each governmental fund:

GENERAL FUND							
<u>Year</u>	<u>Spendable Fund Balance</u>	<u>Budgeted Expenditures</u>	<u>Spendable Fund Balance as % of Budgeted Expenditures</u>	<u>Year</u>	<u>Spendable Fund Balance</u>	<u>Budgeted Expenditures</u>	<u>Spendable Fund Balance as % of Budgeted Expenditures</u>
1989	\$392,977			2006	\$3,648,180	\$18,976,064	19.2%
1990	\$49,255	-	-	2007	\$3,528,060	\$20,628,410	17.1%
1991	(\$123,953)	-	-	2008	\$2,877,328	\$22,224,148	12.9%
1992	\$112,425	-	-	2009	\$3,404,816	\$23,371,896	14.6%
1993	\$354,751	-	-	2010	\$4,369,689	\$23,655,320	18.5%
1994	\$583,598	-	-	2011	\$4,226,292	\$24,458,130	17.3%
1995	\$1,526,378	-	-	2012	\$4,920,043	\$24,953,970	19.7%
1996	\$1,965,443	-	-	2013	\$6,996,142	\$25,450,451	27.5%
1997	\$2,213,586	-	-	2014	\$5,681,942	\$27,989,723	20.3%
1998	\$2,443,960	-	-	2015	\$6,501,198	\$27,166,140	23.9%
1999	\$2,014,190	-	-	2016	\$8,608,221	\$27,924,630	30.8%
2000	\$2,799,415	\$13,071,110	21.4%	2017	\$10,640,252	\$29,338,760	36.3%
2001	\$2,218,058	\$14,462,230	15.3%	2018	\$11,676,062	\$30,738,370	38.0%
2002	\$3,634,094	\$15,068,913	24.1%	2019	\$12,245,083	\$32,508,264	37.7%
2003	\$3,707,470	\$15,706,950	23.6%	Projected			
2004	\$3,811,340	\$16,404,038	23.2%	2020*	\$13,570,312	\$33,826,895	40.1%
2005	\$4,217,802	\$17,157,370	24.6%	2021(P)	\$11,870,312	\$34,511,300	34.4%
*Unaudited							

Fund Balance				
FY	Water	Sewer	Landfill	Airport
2004	\$ 717,355	\$ 430,436	\$ 1,007,954	\$ (34,958)
2005	\$ 705,901	\$ 302,147	\$ 1,187,323	\$ (44,847)
2006	\$ 643,447	\$ (300,318)	\$ 1,410,827	\$ (265,496)
2007	\$ 763,301	\$ 24,832	\$ 1,187,227	\$ (779,775)
2008	\$ 591,591	\$ (63,657)	\$ 912,497	\$ (1,226,451)
2009	\$ 13,863	\$ 140,471	\$ 872,282	\$ (716,815)
2010	\$ 7,840	\$ 128,305	\$ 1,189,594	\$ (468,417)
2011	\$ 269,578	\$ 942,695	\$ 2,068,205	\$ (404,850)
2012	\$ 646,832	\$ 1,477,123	\$ 2,063,860	\$ (376,415)
2013	\$ 804,809	\$ 1,750,416	\$ 2,737,273	\$ (209,534)
2014	\$ 904,006	\$ 2,648,712	\$ 2,991,938	\$ (150,219)
2015	\$ 892,409	\$ 3,327,697	\$ 3,286,395	\$ (347,562)
2016	\$ 1,146,280	\$ 2,361,123	\$ 3,632,026	\$ (576,964)
2017	\$ 1,730,562	\$ 3,155,891	\$ 3,613,404	\$ (584,225)
2018	\$ 2,450,803	\$ 3,005,765	\$ 2,218,099	\$ (630,622)
2019	\$ 2,612,863	\$ 2,507,145	\$ 2,688,564	\$ (611,478)
2020*	\$ 3,367,206	\$ 3,463,879	\$ 2,906,979	\$ 371,114
2021(P)	\$ 3,773,466	\$ 3,703,459	\$ 3,295,979	\$ 205,651
* Unaudited, (P) Projected				

As was stated above relative to the General Fund, reserves in the Water and Sewer Funds have been built up to help cover some of the costs of the CSO project. Over the past 10 years the rates have averaged approximately 5.7% for water and 7.1% for sewer to help built up the fund balances in these accounts (collection rates are lower). Prior to this there were no rate increases from 2002 to 2006. As stated above, our recommendation for water and sewer rates would be to decrease the rates starting in 2024.

CAPITAL RESERVES:

Funding capital reserves at sufficient levels to cover significant equipment and infrastructure projects helps the City reduce the need for long-term financing. The following table shows capital reserve activity and balances from 2018 through the end of the first quarter of 2021:

					2018 YE	2019 YE	2020 YE	As of March 31, 2021
					Balances	Balances	Balances	Balances
CAPITAL RESERVE BALANCES								
Fire Department Equipment and Vehicles					\$ 162,787	\$ 276,385	\$ 211,022	\$ 333,897.00
DPW Equipment and Vehicles					\$ 48,691	\$ 71,157	\$ 7,567	\$ 57,505.00
Dana House					\$ -	\$ -	\$ 51,106	\$ 25,978.00
Recreation and Parks Improvement and Equip					\$ 40,332	\$ 62,147	\$ 84,170	\$ 104,160.00
Parking Facilities Repairs/Maintenance					\$ 27,675	\$ 28,524	\$ 29,230	\$ 29,235.00
Police Equipment Vehicles and Improvements					\$ 50,676	\$ 72,806	\$ 95,101	\$ 95,119.00
Library Facilities Capital Improvement Fund					\$ -	\$ 51,414	\$ 52,704	\$ 52,714.00
Water Treatment & Distribution Improvements/Equip					\$ 608,295	\$ 556,753	\$ 791,984	\$ 895,180.00
Sewer Collection & Disposal Improvements/Equip					\$ 24,371	\$ 164,429	\$ 458,463	\$ 705,216.00
Landfill Extended Long-Term Monitoring & Maintetance					\$ 614,725	\$ 673,086	\$ 728,801	\$ 766,334.00
Entire Facility								
Landfill Closeout/Long-Term Monitoring & Maintenance					\$ 7,585,655	\$ 8,144,383	\$ 8,575,190	\$ 8,597,644.00
Facility (lined)								
Landfill Equipment					\$ 50,281	\$ 206,633	\$ 523,336	\$ 333,837.00
Facility (lined)								
Landfill Equipment					\$ 314,034	\$ 323,179	\$ 330,153	\$ 330,734.00
Accrued Benefits Liability-GF					\$ -	\$ 169,000	\$ 274,952	\$ 300,225.00
Accrued Benefits Liability-SW					\$ -	\$ 28,500	\$ 48,039	\$ 49,717.00
Accrued Benefits Liability-WF					\$ -	\$ 29,350	\$ 50,442	\$ 38,921.00
Accrued Benefits Liability-SF					\$ -	\$ 40,800	\$ 62,145	\$ 56,912.00
Accrued Benefits Liability-Airport					\$ -	\$ -	\$ 16,349	\$ 21,344.00
					\$ 9,527,523	\$ 10,898,547	\$ 12,390,755	\$ 12,794,672.00
General Fund					\$ 330,161.84	\$ 731,433.84	\$ 805,852.84	\$ 998,833.00
Solid Waste Fund					\$ 8,564,695	\$ 9,375,781	\$ 10,205,519	\$ 10,078,266.00
Water Treatment & Distribution Fund					\$ 608,295	\$ 586,103	\$ 842,426	\$ 934,101.00
Sewage Collection and Disposal Fund					\$ 24,371	\$ 205,229	\$ 520,608	\$ 762,128.00
Airport Fund					\$ -	\$ -	\$ 16,349	\$ 21,344.00
					\$ 9,527,523	\$ 10,898,547	\$ 12,390,755	\$ 12,794,672.00

Summary

The Finance Department recommends leveraging fund balance reserves to help offset future debt service requirements and reducing the need for future long-term capital financing by using reserves to help fund capital projects/reserves. We also propose to continue the philosophy of limiting future debt service paid for by the General Fund to that which will be “coming off the books” each year, as viewed over the length of each successive year’s capital improvement plan.

It continues to be the Finance Department’s goal to provide the City Manager, the Mayor and City Council with relevant and timely information that will enable all parties to make informed policy decisions. We welcome your feedback and comments as to what information we can provide in the future to facilitate those decisions and we will be happy to answer any questions that you may have.



2021 Financial Outlook

CITY OF LEBANON, NH

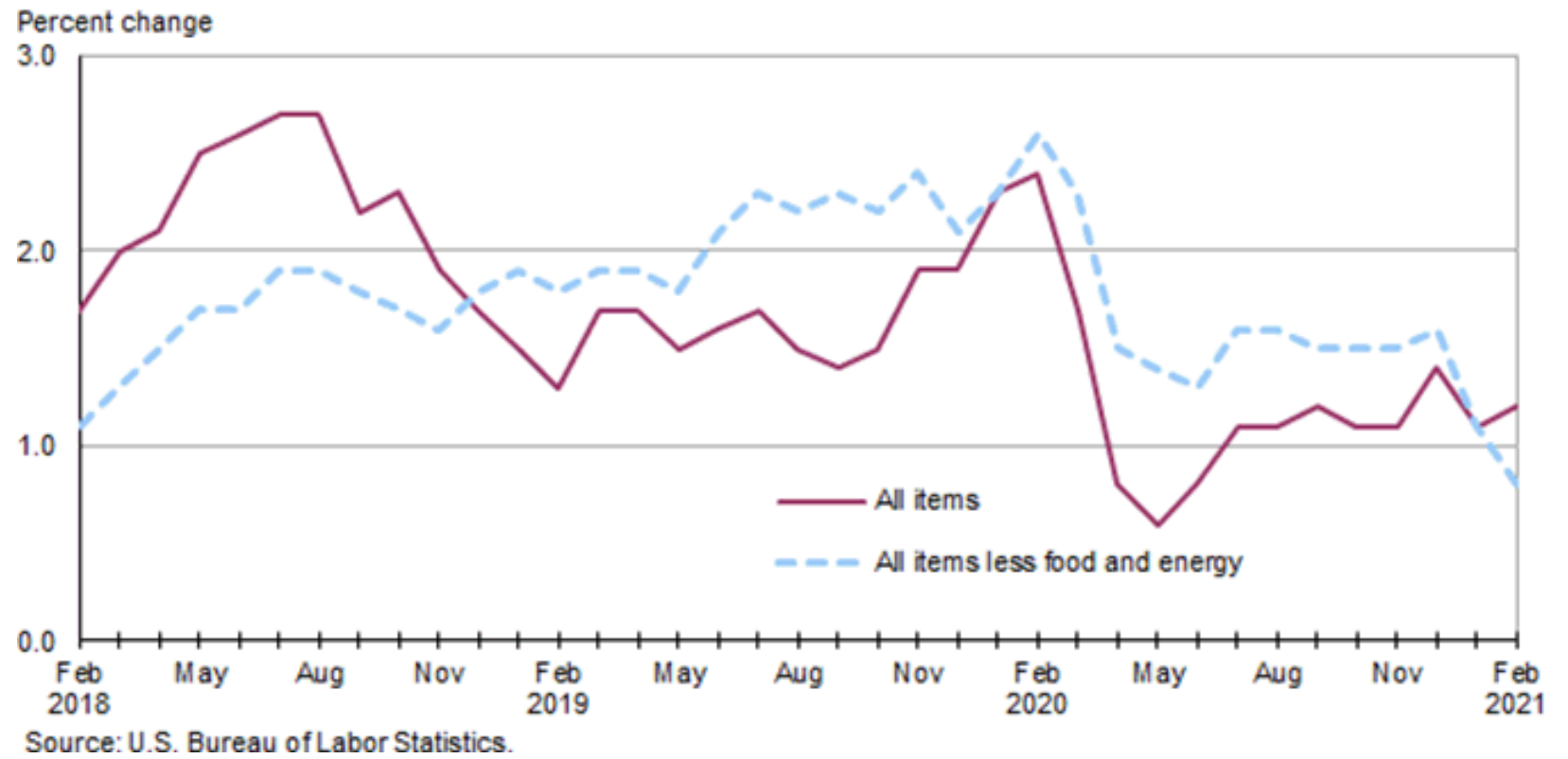


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◦ COVID-19 FINANCIAL
IMPACTS

Consumer Price Index- Northeast Region



CHANGE IN UNEMPLOYMENT CLAIMS

2020 February Rates

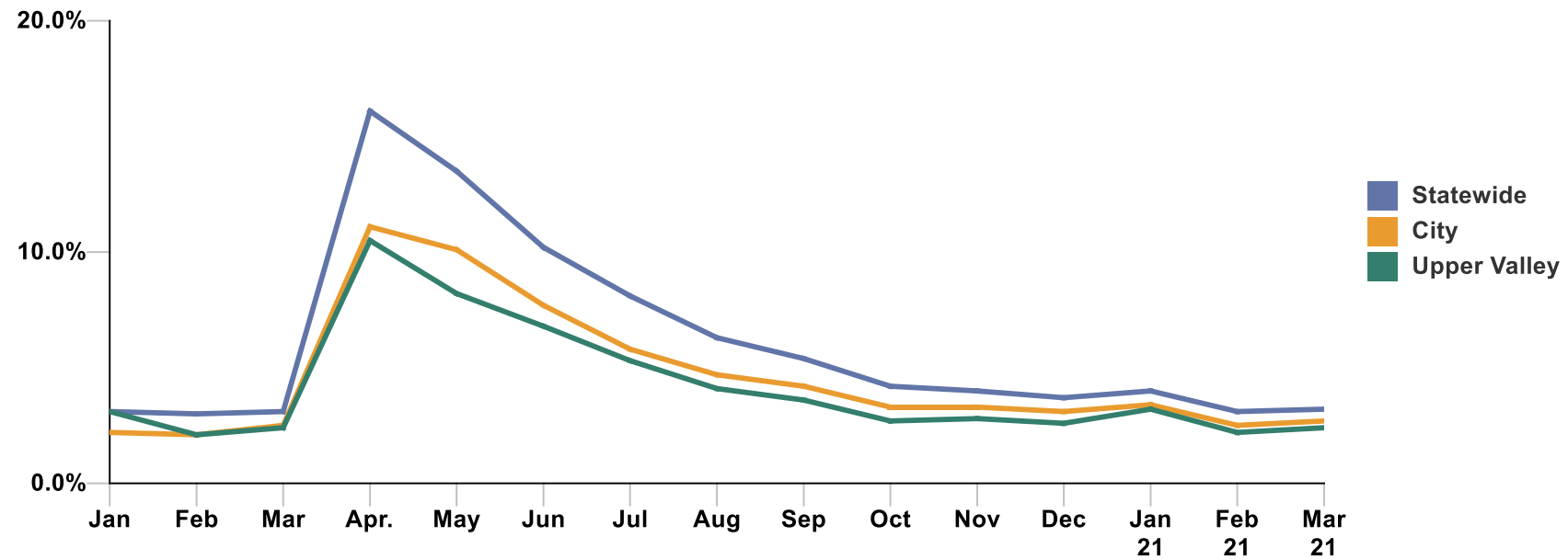
- 6.7% Statewide
- 2.1% City (160 people)
- 3.1% Upper Valley Region

2021 February Rates

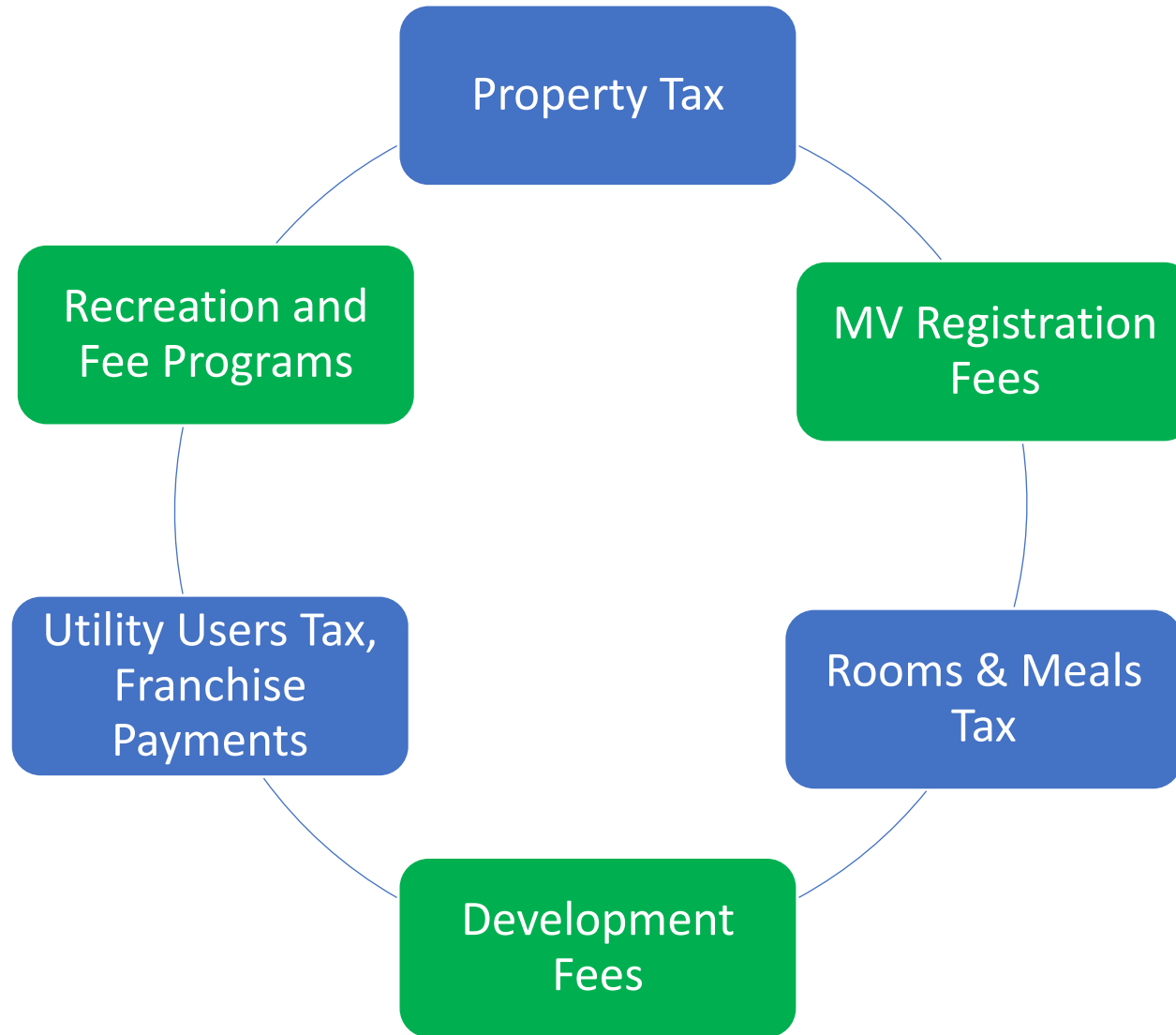
- 3.1% Statewide (Mar. 3.2%)
- 2.5% City (200 people)
(Mar. 2.7%, 210 people)
- 2.2% Upper Valley (Mar. 2.4%)



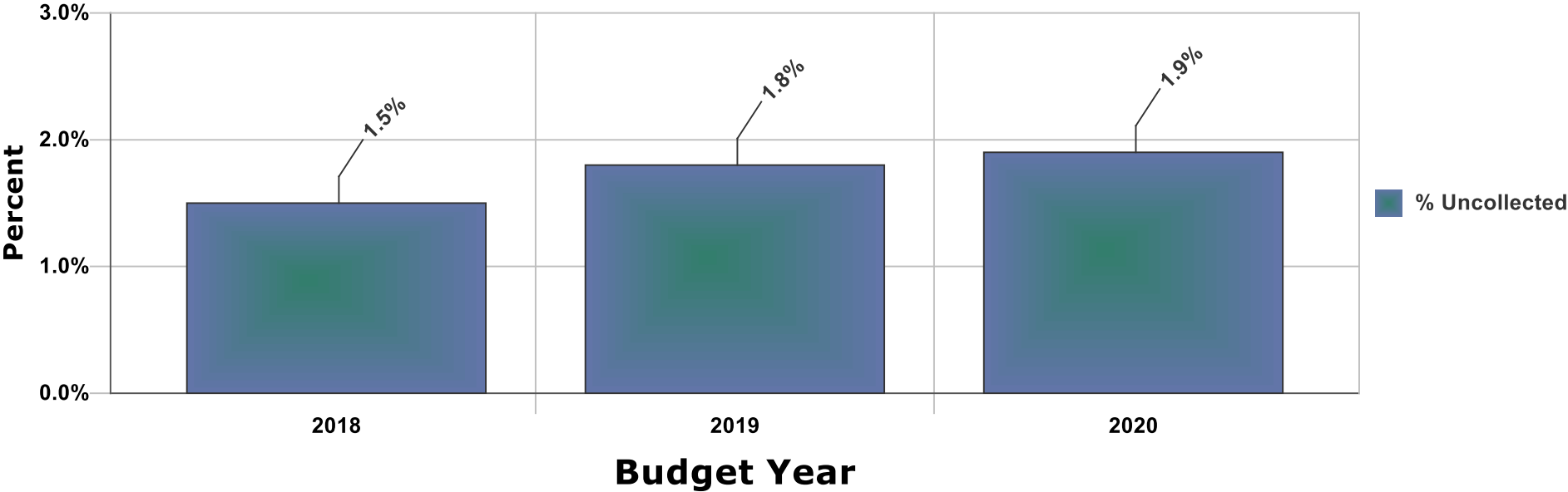
Unemployment Rate 2020-2021



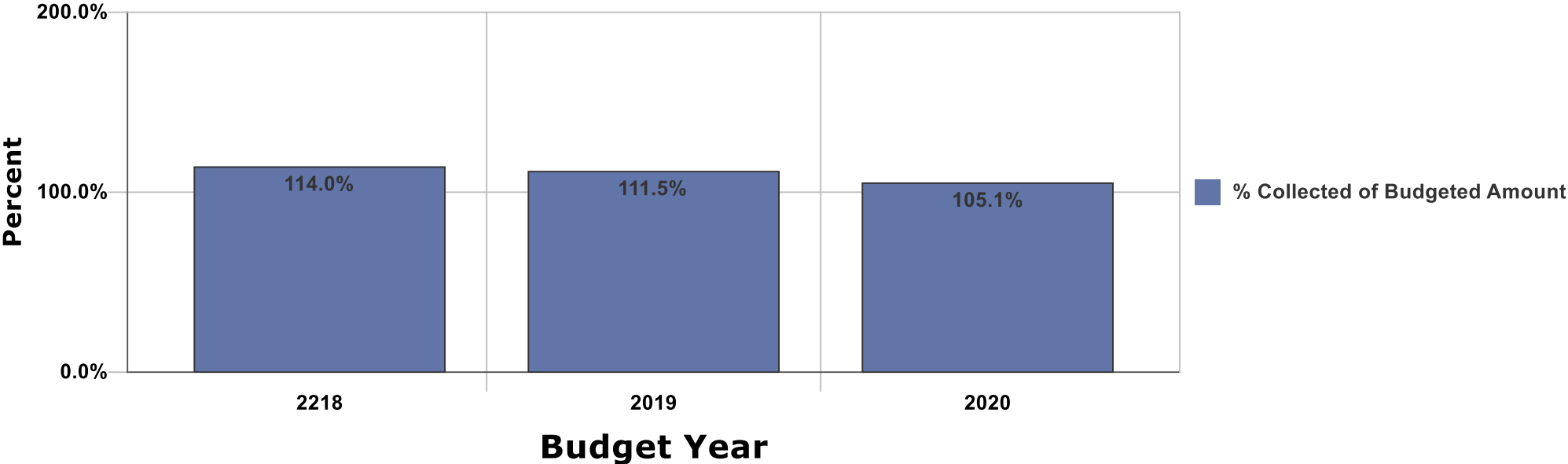
City Revenue Impacts Vary by Source



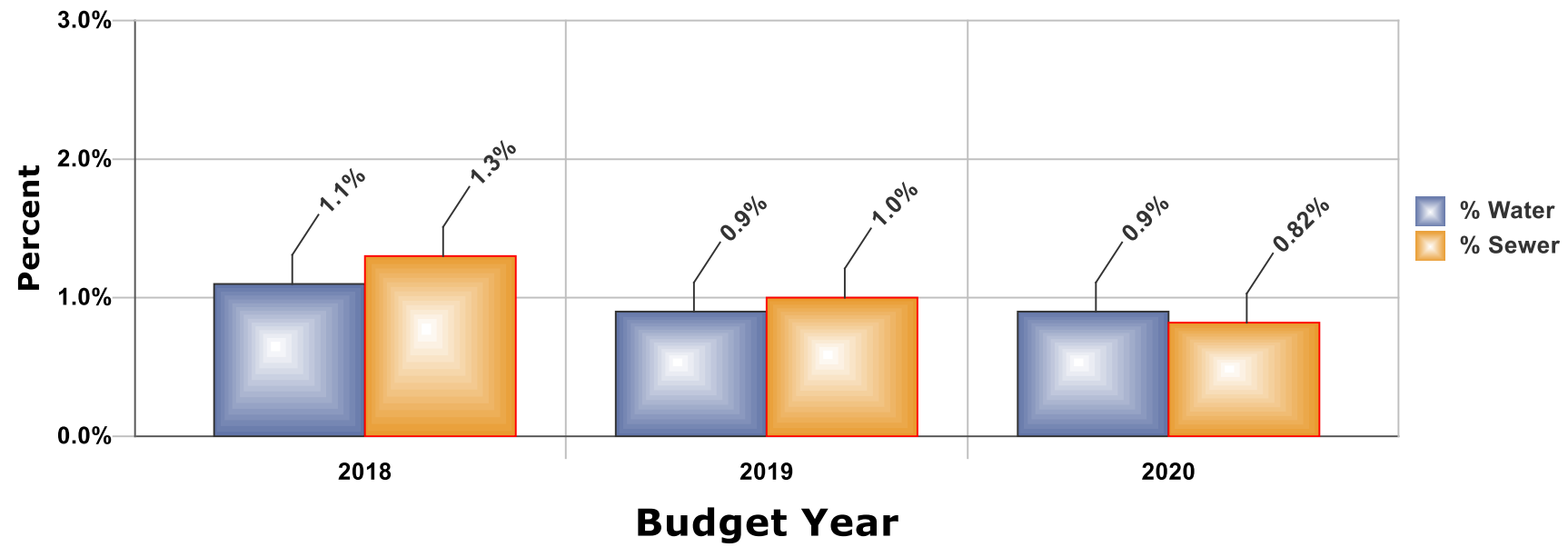
Property Tax Uncollected



MV Registration Collection Rates



Water & Sewer Bills Uncollected





Federal Assistance

Airport receives just over **\$2 million** in funds which will offset the general fund subsidy for 2022/2023

American Rescue Plan Act
\$1,351,000 to the City

State Aid

- Rooms & Meals Tax- Possible Increase
- Highway Block Grant- Slight Increase
- State Aid Grants (SAG) wastewater projects
- Municipal Bridge Aid- Reduction
- Revenue Sharing- Eliminated
- Municipal Aid- Eliminated
- *15% Retirement System Contribution by State-TBD

- 2022 Impact-
\$384,306
- 2023 Impact-
\$378,166

State Aid Grants (SAG)
Eliminated

- 2024-2028
Impact
\$6,074,253



CITY OF LEBANON, NH
DEBT SERVICE PROJECTIONS
2021-2026

ASSUMPTIONS



Debt service projections are based upon projects authorized by the Council.

Transition from CSO era which included future projects in debt service projections.
NEW PROJECTIONS DO NOT INCLUDE FUTURE PROJECTS



In the 2021 Budget fund balance will be used to offset debt service increases as planned for at the start of the CSO era.



The CSO debt service plan was based upon pre-determined tax rate and user rate increases to prevent tax rate spikes and minimize spikes in utility rates.



GENERAL FUND

PLANNED TAX RATE INCREASES

Tax rate increases were planned in conjunction with the use of fund balance to reduce tax rate spikes and allow for adequate service delivery.



Planned tax rate increases

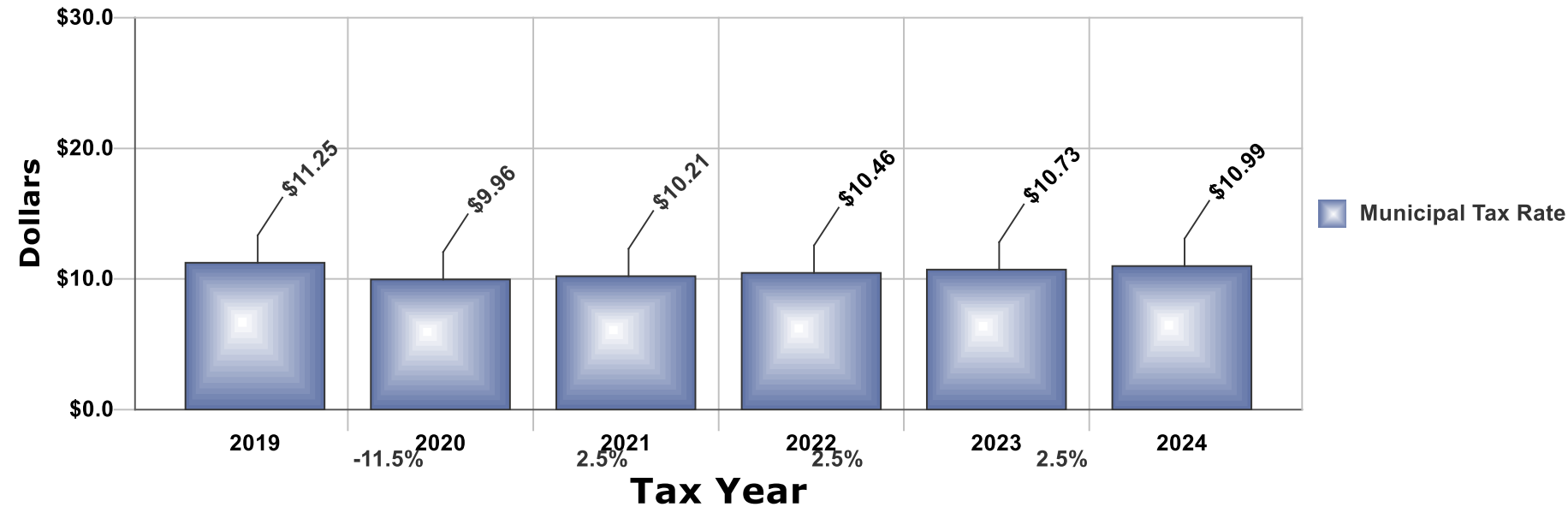
2021- 2.5%



Projected tax rate increases for 2022-2025

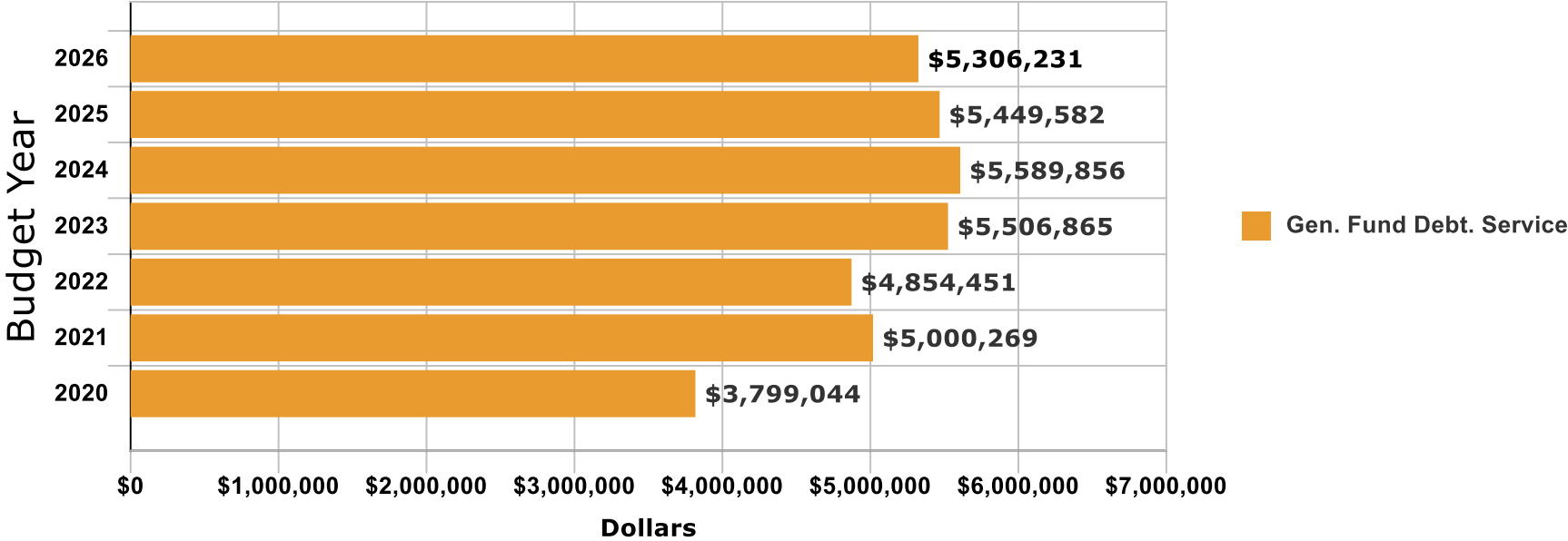
Less than 2.5% each year

Change in Municipal Tax Rate



NOTE: Years 2021, 2022, 2023 and 2024 are projected based on a set of variable assumptions

General Fund Debt Service



Fund Balance Use to Offset Debt. Service

The plan is to offset the increase in debt service for 2021 by the use of approx. \$1.7 million from fund balance to stabilize the tax rate.

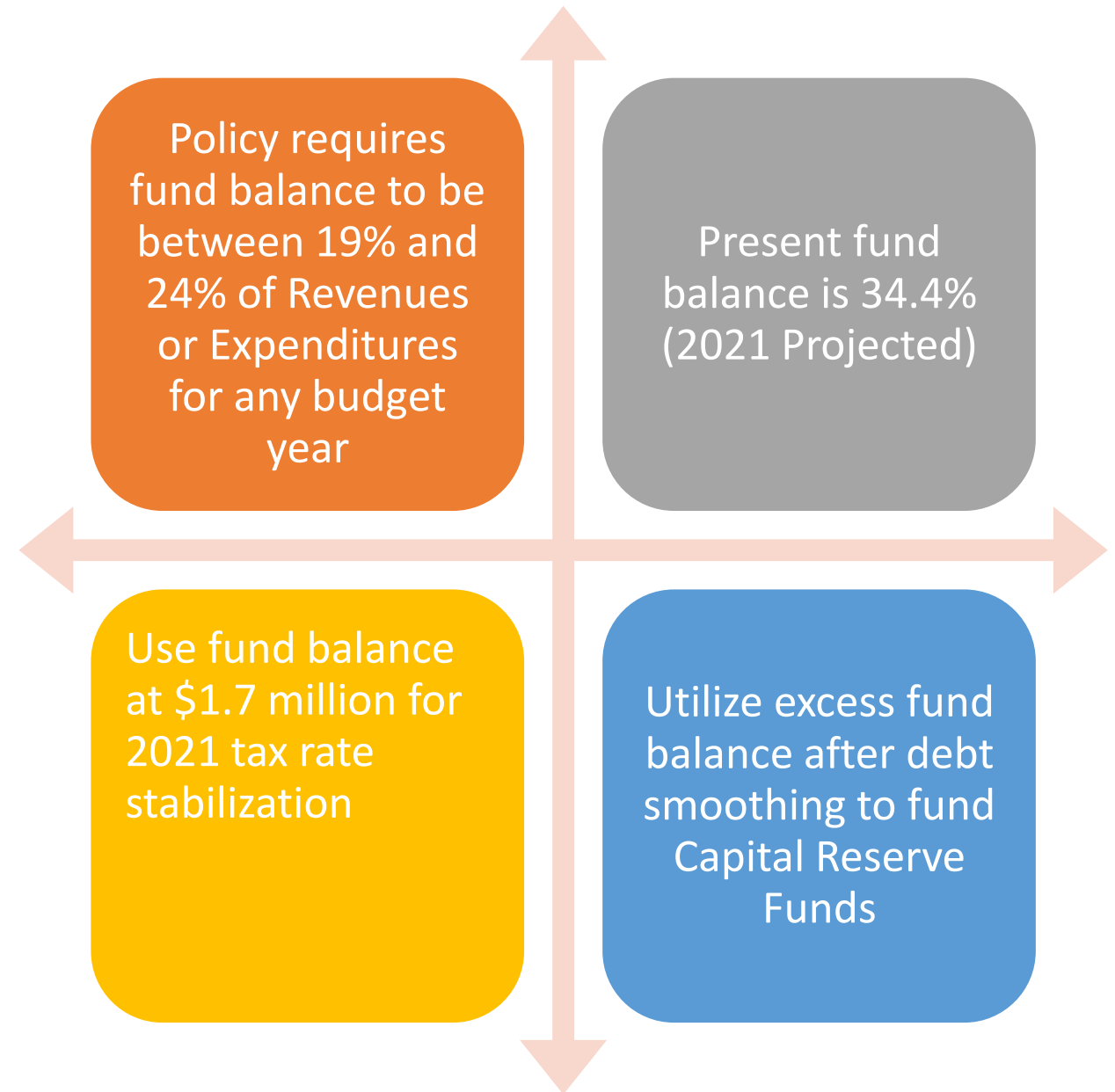
The Unassigned Fund Balance of the General Fund will be approx. \$11.8 million.

The plan requires the use of fund balance and tax rate increases to smooth the impact of debt service on the budget.

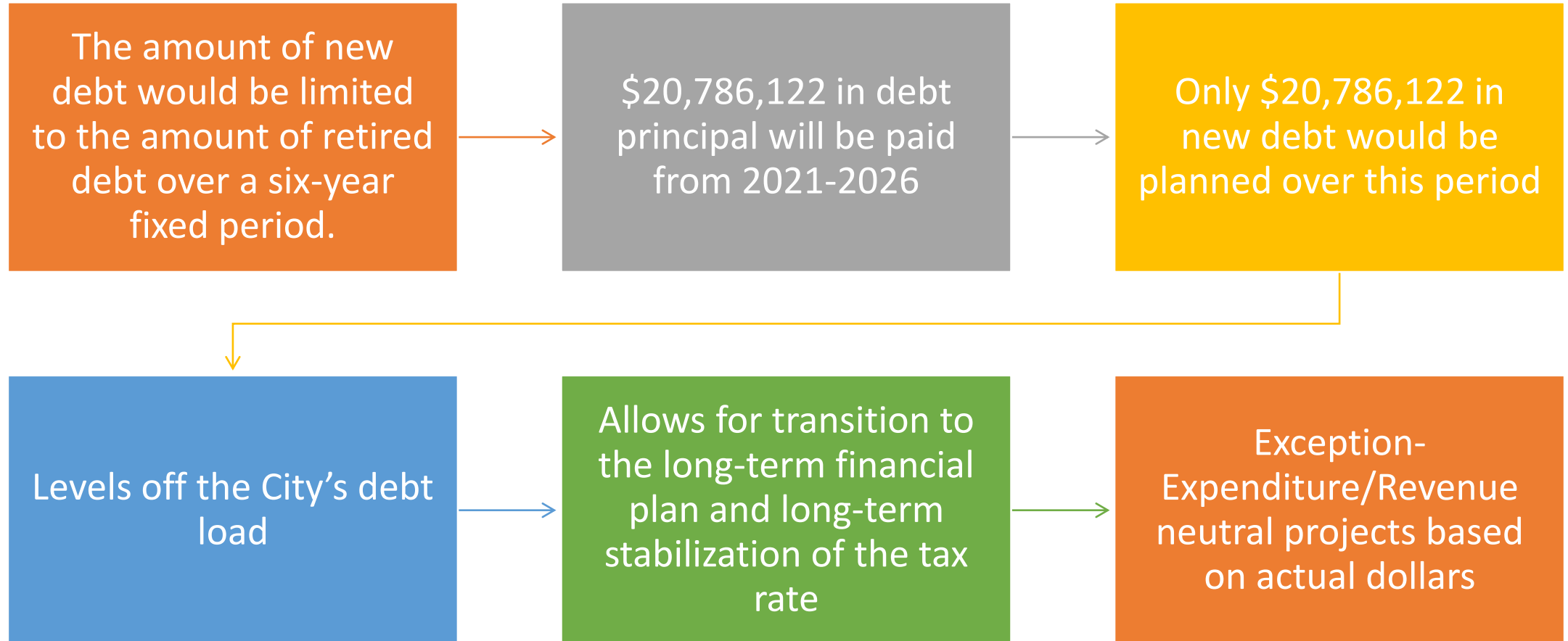
Long Term Financial Plan

Reduce or eliminate	Reduce or eliminate the use of fund balance to offset the tax rate.
Utilize	Utilize the Unassigned Fund Balance to offset the cost of Capital Projects • Pay as you go- using cash to pay for projects/equipment • Capital Reserve Funds
Eliminate	Eliminate the use of the UFB to subsidize the cost of operating expenses

Unassigned Fund Balance Ratios



Limitation of Future Capital Projects General Fund



Impacts on CIP

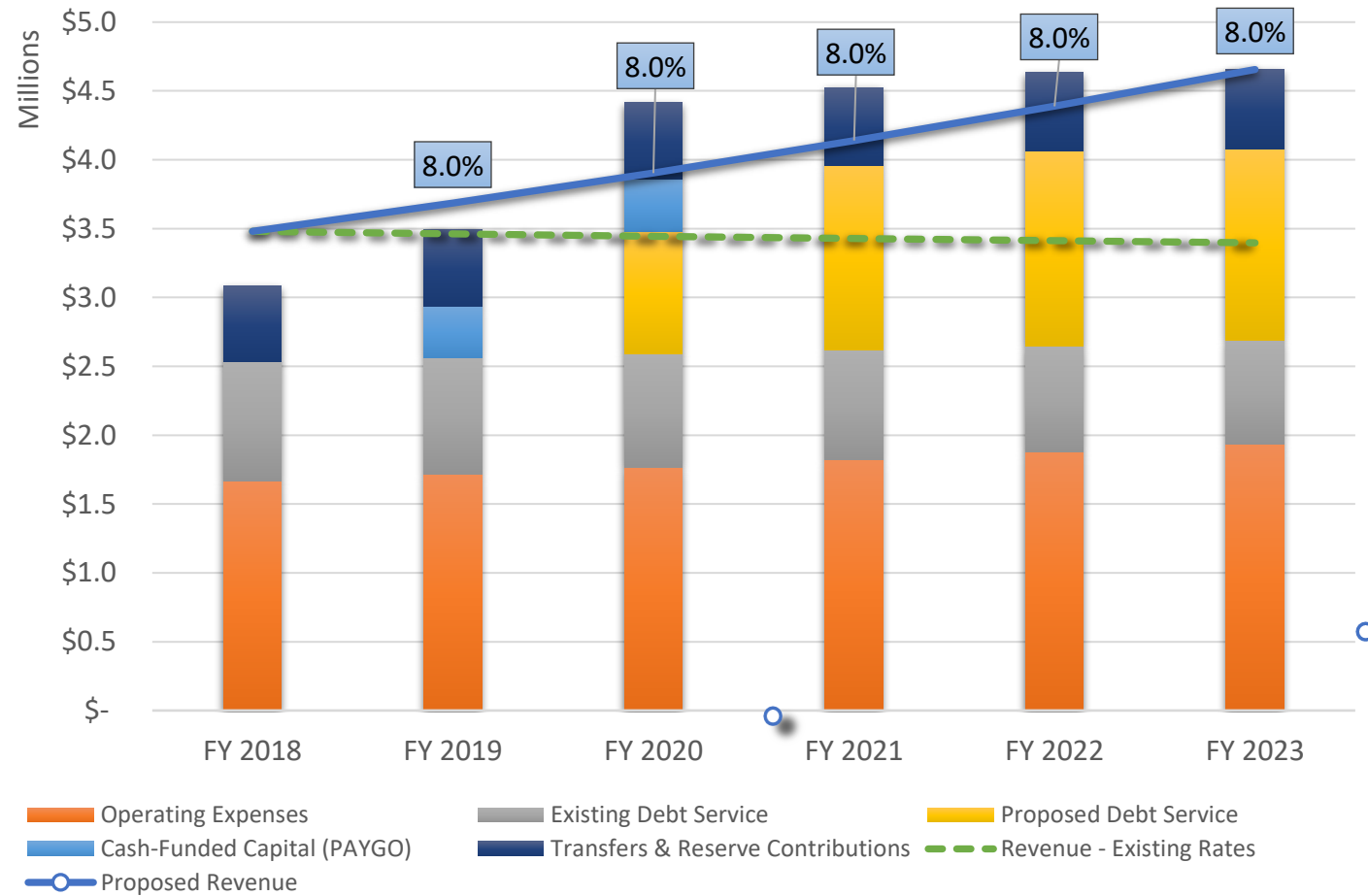
- Projects have been backed up due to the impact of the CSO
- Failure to address known issues may result in cascading impacts
 - Facilities
 - Transportation Infrastructure
 - Equipment and Vehicles
- Could result in higher long-term costs and negative service delivery impacts



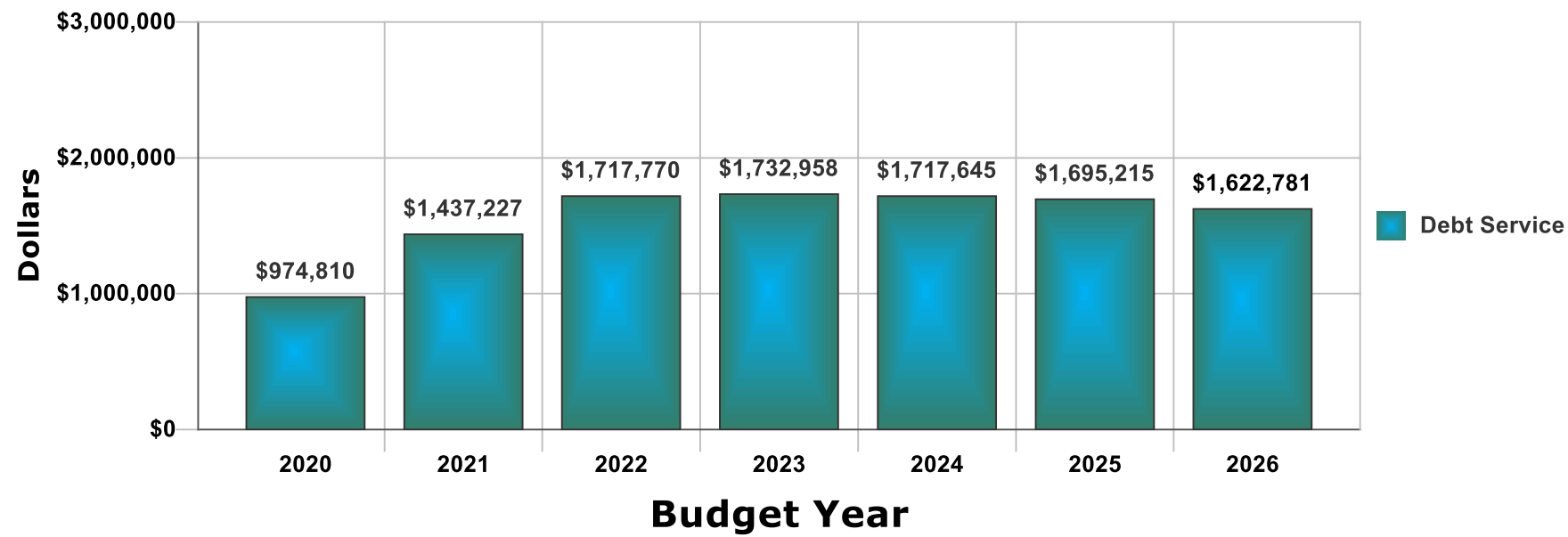
A close-up photograph of a green leaf with water droplets, set against a blurred background of a stream and foliage. The leaf is in sharp focus, showing several small, clear water droplets on its surface. The background is a soft, out-of-focus scene of a stream with water flowing over rocks, surrounded by greenery. The overall mood is serene and natural.

WATER FUND

Water Financial Plan Forecast

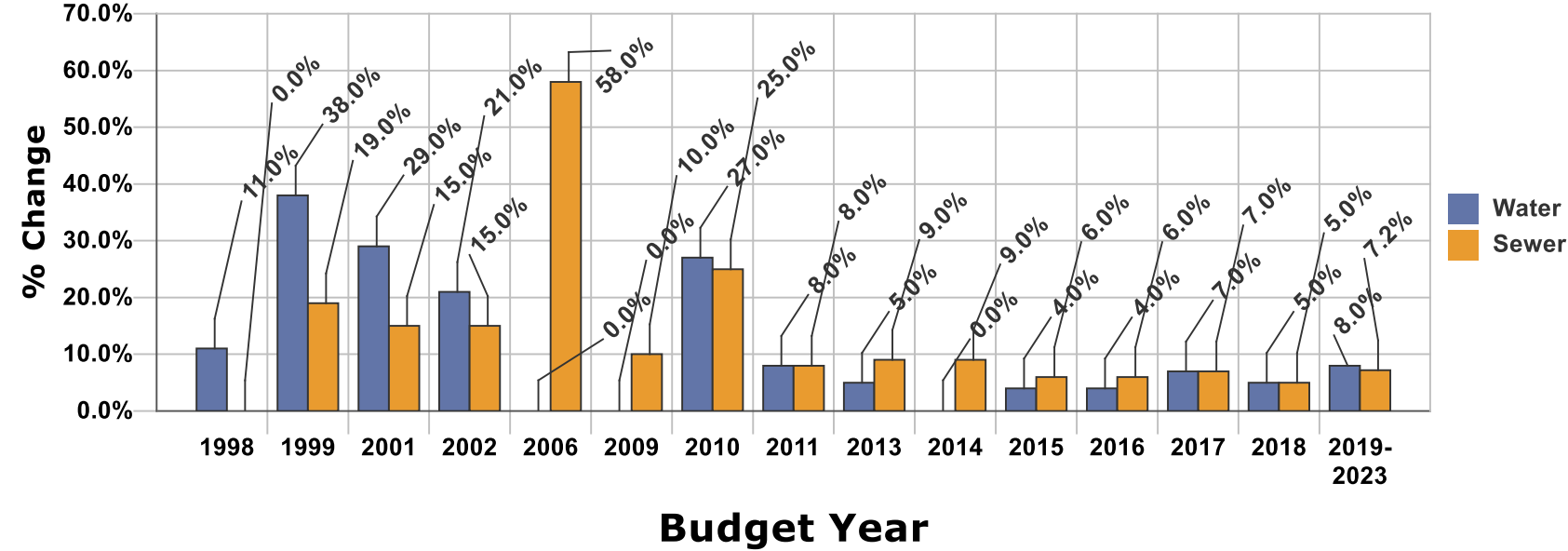


Water Fund Debt. Service



*Includes existing projects only, does not include any new projects

Water & Sewer Rate Increases

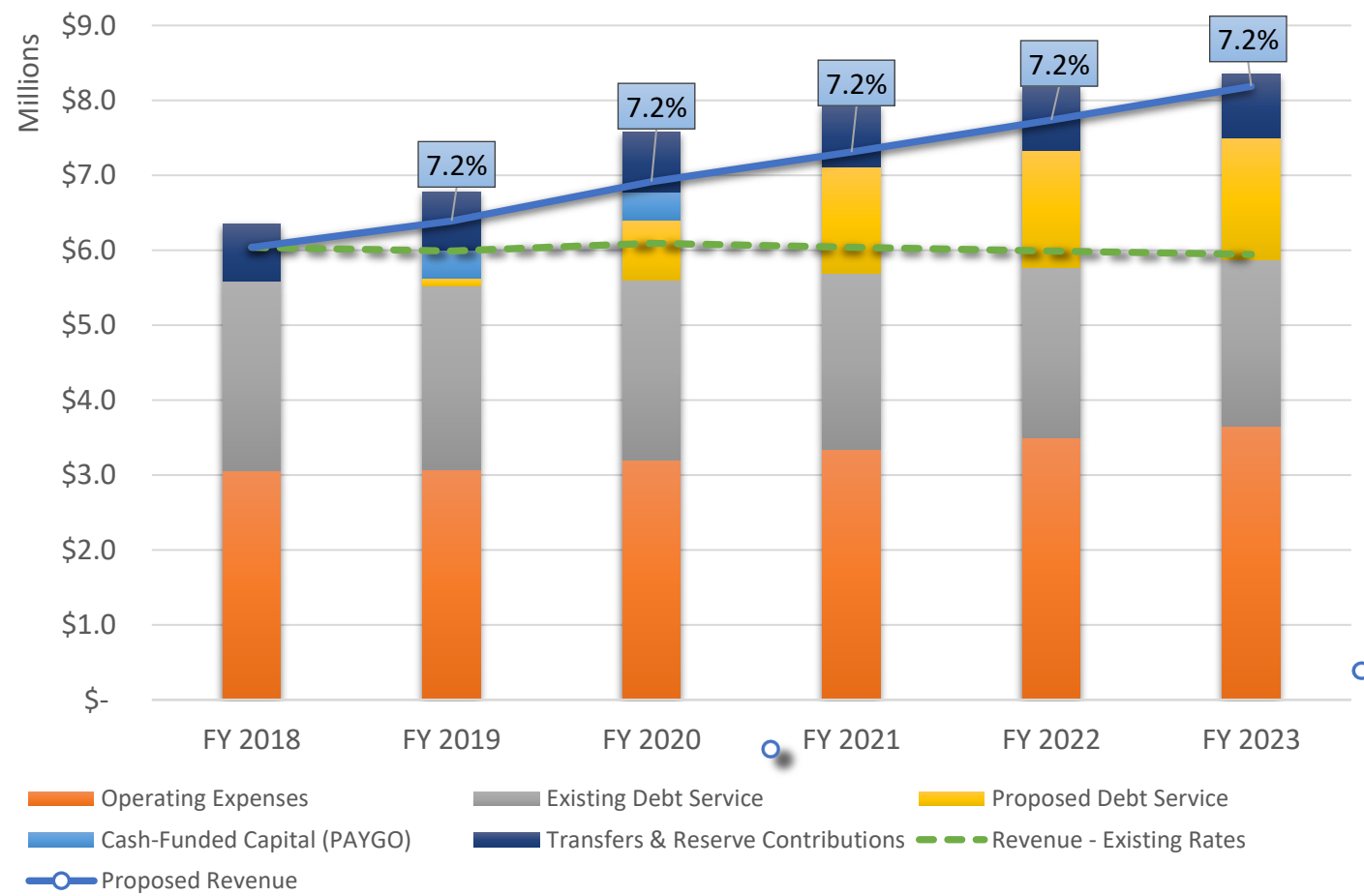


* 2019-2023 8% and 7.2% actual or planned for each year

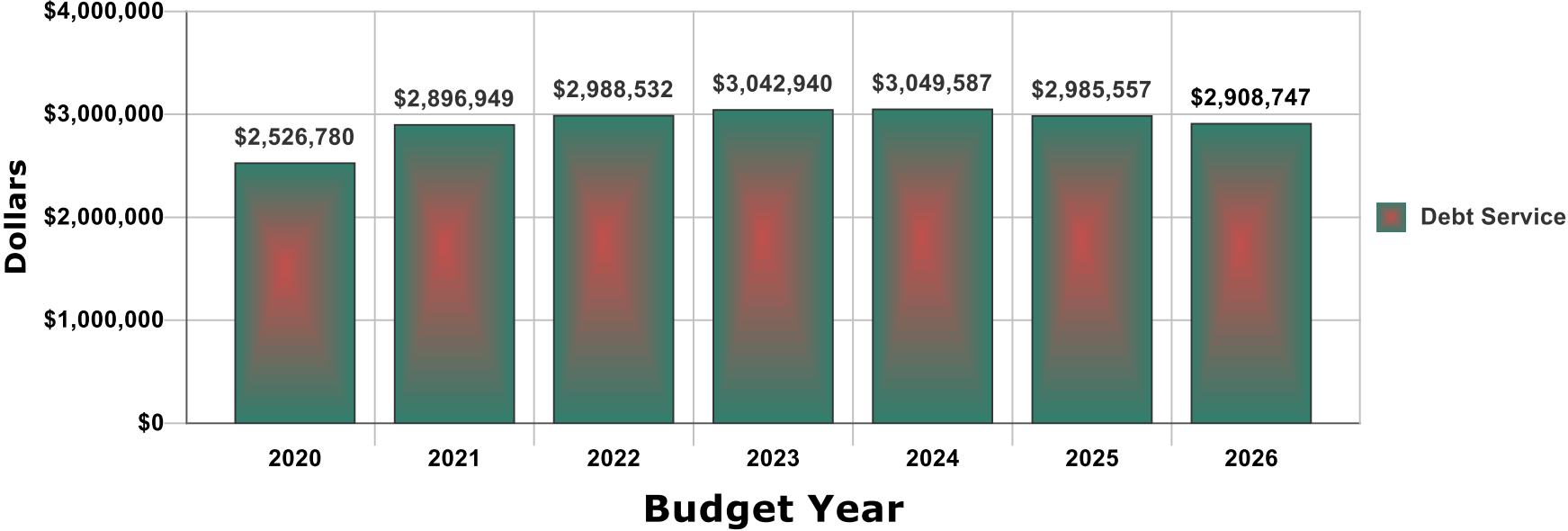
SEWER FUND



Sewer Financial Plan Forecast



Sewer Fund Debt. Service

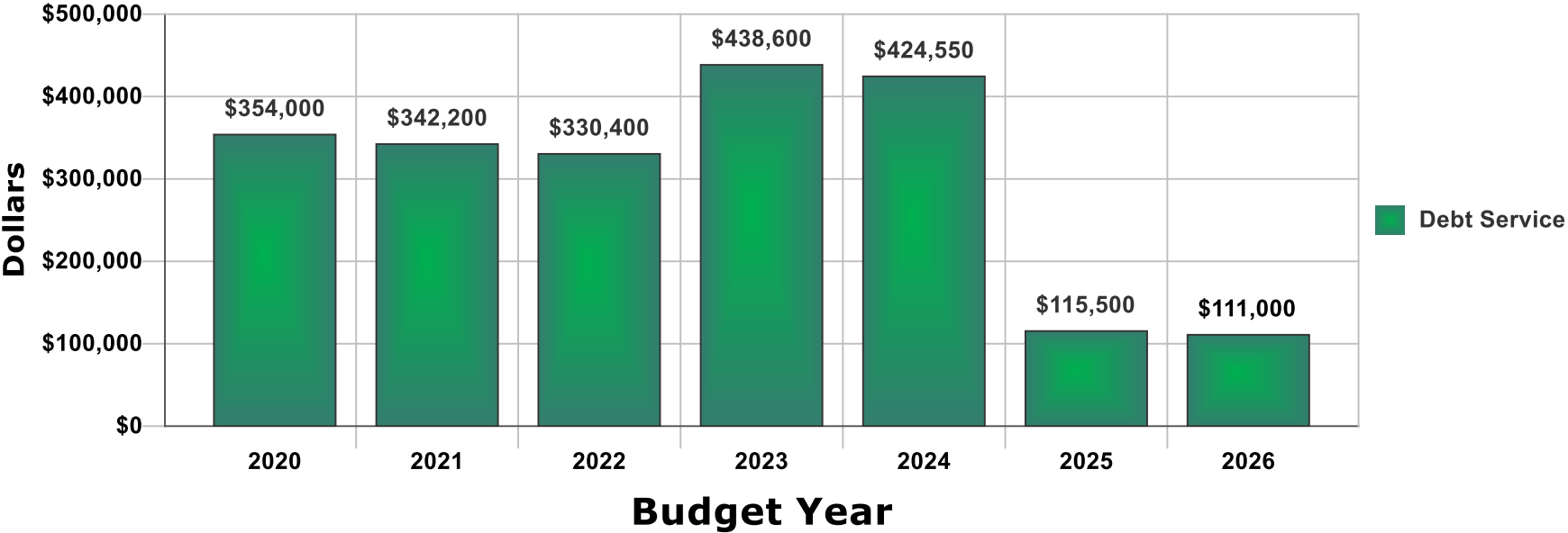


*Includes existing projects only, does not include new projects

A photograph of an industrial facility, likely a refinery or chemical plant, featuring several tall, cylindrical smokestacks and large, corrugated metal storage tanks. The structure is complex with numerous pipes, ladders, and platforms. The sky is a clear, deep blue with some light clouds. The text "SOLID WASTE FUND" is overlaid in white, bold, sans-serif capital letters across the center of the image.

SOLID WASTE FUND

Solid Waste Fund Debt Service

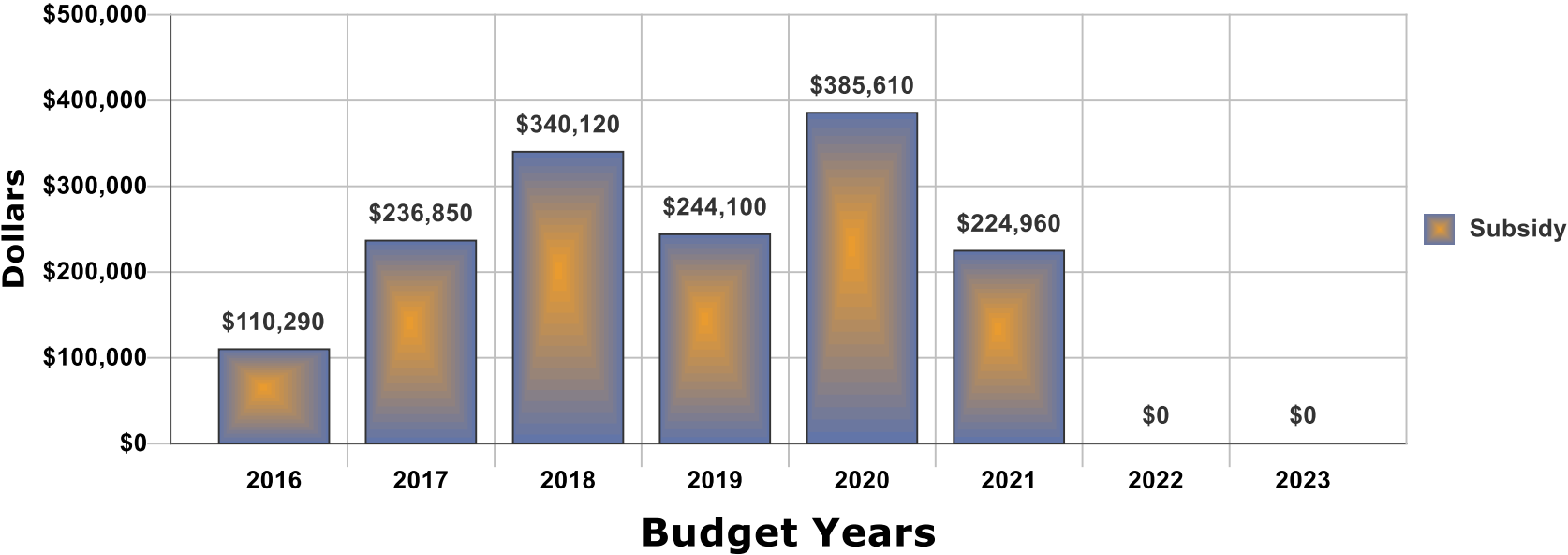


*Includes existing projects only, does not include any new projects

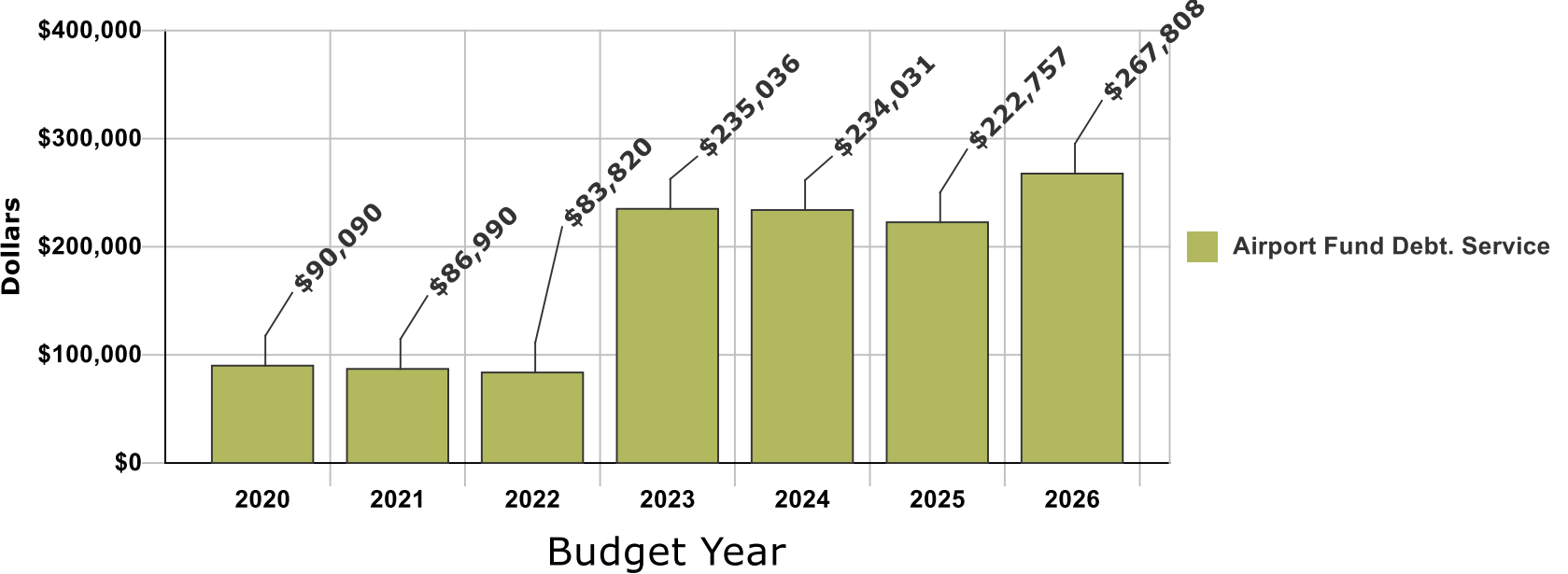


AIRPORT FUND

General Fund Subsidy to the Airport Fund



Airport Fund Debt Service



**AGENDA
LEBANON CITY COUNCIL
MAY 5, 2021**

10. NEW BUSINESS:

10.B – SET PUBLIC HEARING FOR JUNE 2, 2021:

**ESTABLISHMENT OF A SPECIAL ASSESSMENT DISTRICT TO PAY FOR TRAFFIC
IMPROVEMENTS AT THE INTERSECTION OF MOUNT SUPPORT ROAD AND
LAHAYE DRIVE, LEBANON**

BACKGROUND

During the course of Planning Board review for several large development projects along Mt. Support Road in the last 12-18 months, traffic studies prepared on behalf of the applicants have highlighted that the intersection of Mt. Support Road and Lahaye Drive is approaching its operational capacity overall and that certain turning movements are already over capacity and failing from a transportation standpoint. In response, the Planning and Public Works Departments worked jointly to prepare a capital improvement project proposal to determine the improvements required to address the existing deficiencies and future operating needs at the intersection.

In December 2020, the City Council approved a capital project for the initial design and permitting phase for traffic and transportation improvements at the intersection. The source of funding for the project was to come from a Special Assessment District to be created, which would be comprised of properties that would be specially benefitted by the proposed improvements.

Pursuant to NH RSA 52-A, Special Assessment Districts are districts in which public facilities and services are to be provided and in which special assessments and charges may be levied and collected to pay for those public facilities and services. Pursuant to Chapter C419:57 of the City of Lebanon Charter, the City Council has the power to determine that the whole or any part of the expense of any public improvement shall be defrayed by special assessments upon the properties especially benefitted and shall so declare by resolution.

The Planning Department has prepared a draft map of a proposed Special Assessment District identifying properties that would be specially benefitted by the proposed improvements and has calculated the proportionate share of benefits attributable to each property within the District as the basis for the special assessments.

On March 30th, the Planning and Development Department hosted a Community Conversation with potentially affected property owners and provided an overview presentation of the reasons for proposing the District, the methodology for calculating each property's proportionate share, the anticipated capital improvements needed for the intersection, and the additional steps necessary to create and implement the proposed District. On May 5th, the Planning and Development Department will provide a similar presentation to the City Council and request that the City Council schedule a public hearing to receive additional public input on the proposal before taking action.

ACTION

MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, June 2, 2021, beginning at 7:00pm, Remote via Webex, for the purpose of receiving public input and taking action on the establishment of a Special Assessment District to pay for traffic improvements at the intersection of Mount Support Road and Lahaye Drive, Lebanon.

Included in this Section:

1. Memorandum dated April 12, 2021 from David Brooks, Planning & Development Director
2. Draft Map of Mount Support Road – Special Assessment District, dated March 11, 2021
3. Draft Property Owner Spreadsheet for Mount Support Road – Special Assessment District, dated March 18, 2021
4. City Code Chapter 147 – Special Assessment Procedure

Information available but not included in this Section:

1. [City of Lebanon Charter, Section C419:57 - Special Assessments - Council Resolutions](#)
2. [NH RSA 52-A – Special Assessment Districts](#)



CITY OF LEBANON ~ PLANNING & DEVELOPMENT

MEMORANDUM

TO: Honorable Mayor and City Councilors
CC: Shaun Mulholland, City Manager
FROM: David Brooks, Planning & Development Director
RE: Proposed Mt. Support Road Special Assessment District
DATE: April 12, 2021

INTRODUCTION:

During the course of Planning Board review for several large development projects along Mt. Support Road in the last 12-18 months, traffic studies prepared on behalf of the applicants have highlighted that the intersection of Mt. Support Road and Lahaye Drive is approaching its operational capacity overall and that certain turning movements are already over capacity and failing from a transportation standpoint. In response, the Planning and Public Works Departments worked jointly to prepare a capital improvement project proposal to determine what improvements are required to address the existing deficiencies and future operating needs at the intersection.

In December 2020, the City Council approved a capital project for the initial design and permitting phase for traffic and transportation improvements at the intersection. The source of funding for the project was to come from a Special Assessment District to be created, which would be comprised of properties that would be specially benefitted by the proposed improvements.

Pursuant to NH RSA 52-A, Special Assessment Districts are districts in which public facilities and services are to be provided and in which special assessments and charges may be levied and collected to pay for those public facilities and services. Pursuant to Chapter C419:57 of the City of Lebanon Charter, the City Council has the power to determine that the whole or any part of the expense of any public improvement shall be defrayed by special assessments upon the properties especially benefitted and shall so declare by resolution.

The Planning Department has prepared a draft map of the proposed Special Assessment District as well as a spreadsheet identifying each of the properties that would be benefitted by the infrastructure improvements and included within the proposed District.

For any such District, the City is required to calculate the proportionate share of benefits attributable to each property within the District as the basis for the special assessments. In addition, Special Assessment Districts are required to be updated as new development occurs or additional improvement plans are proposed in order to ensure that assessments remain proportionate and equitable over time.

To determine each property's initial relative share of the anticipated project costs, the Planning Department used the traffic studies prepared for the three large developments approved near and along Mt. Support Road (including the Dartmouth-Hitchcock Patient Tower Expansion, the Dartmouth College-Michael's Student Living residential development, and the Saxon Partners

residential development) as well as existing traffic counts and standard traffic projection data. The calculated percentage of all trips through the Mt. Support Road/Lahaye Drive intersection and the relative share of the anticipated project costs for the properties in the proposed district are shown on the attached spreadsheet.

On March 30th, the Planning & Development Department hosted a Community Conversation to discuss the proposed Special Assessment District for a portion of the Mt Support Road corridor. All property owners within the proposed District were notified and invited to attend the Community Conversation, during which the Planning staff provided an overview of the reasons for proposing the District, the methodology for calculating each property's proportionate share, the anticipated capital improvements needed for the intersection, and the additional steps necessary to create and implement the proposed District. The Community Conversation was conducted remotely via Microsoft Teams and a recording of the presentation and subsequent discussion is available for viewing on the City's website.

On May 5th, the Planning & Development Department will provide a similar presentation for the City Council to give an overview of the proposed Special Assessment District and request that the City Council schedule a public hearing to receive additional public input on the proposal before taking action.

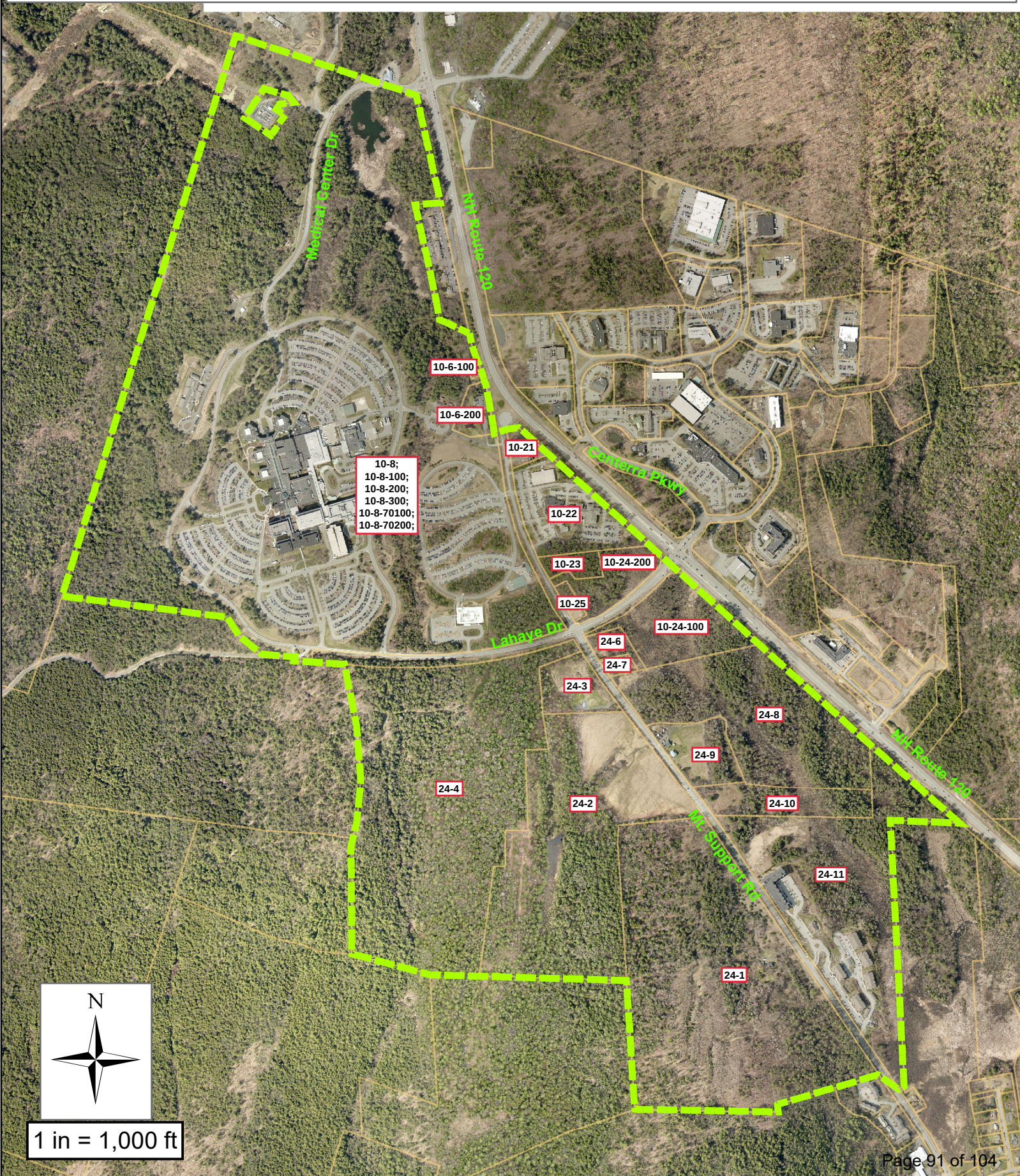
RECOMMENDATION:

Staff recommends that the City Council schedule and hold a public hearing to receive public input on the proposed creation of a Special Assessment District to fund necessary capital improvements at and near the intersection of Mt. Support Road and Lahaye Drive.

Following the public hearing, the City Council will make a determination as to whether to establish the proposed Special Assessment District.

Mount Support Road - Special Assessment District

Draft: March 11, 2021



ID	Site Address	Owner Name	Existing Land Use	% All Trips	Design Phase of Intersection Improvements (\$250,000)	Spec. Assessment amount for Design Phase Costs (5 year payback @ 2 bills/yr)
10-8-200	1 Medical Center Dr	MARY HITCHCOCK MEM HOSPITAL	Medical Center/Hospital	83.593%	\$208,982.62	\$20,898.26
10-8-100	1 Medical Center Dr	DARTMOUTH HITCHCOCK MEDICAL CE	Medical Center/Undev. Land Area	0.0%	\$0.00	\$0.00
10-8-300	1 Medical Center Dr	DARTMOUTH HITCHCOCK MEDICAL CE	Medical Center/Dev.Land Area	0.0%	\$0.00	\$0.00
10-8-70200	1 Medical Center Dr	DARTMOUTH COLLEGE TRUSTEES	Medical Center/Geisel School	0.0%	\$0.00	\$0.00
10-8	1 Medical Center Dr	DARTMOUTH HITCHCOCK MEDICAL CE	Medical Center/Food Court	0.0%	\$0.00	\$0.00
10-8-70100	1 Medical Center Dr	MARY HITCHCOCK MEM HOSPITAL	Medical Center/Childcare Ctr	0.0%	\$0.00	\$0.00
10-22	444 Mount Support Rd	MARY HITCHCOCK MEM HOSPITAL	Medical Center/Office	0.0%	\$0.00	\$0.00
24-2	401 Mount Support Rd	DARTMOUTH COLLEGE TRUSTEES	Multi-Family (under const.)	3.803%	\$9,506.39	\$950.64
24-1	343 Mount Support Rd	WEST JR, ALFRED P & LORALEE S	Multi-Family (approved)	3.002%	\$7,505.11	\$750.51
24-11	2 Timberwood Dr	AUDUBON TIMBERWOOD, LLC	Multi-Family	1.486%	\$3,715.31	\$371.53
10-6-200	461 Mount Support Rd	DAVIDS HOUSE INC	Hospice / Inn	0.482%	\$1,204.56	\$120.46
24-7	420 Mount Support Rd	UPPER VALLEY SUPPORTIVE	Multi-Family (4 units)	0.091%	\$228.54	\$22.85
24-3	419 Mount Support Rd	DARTMOUTH COLLEGE TRUSTEES	Single Family	0.046%	\$114.27	\$11.43
24-9	402 Mount Support Rd	LAHAYE EST, SYLVIA D TTEE	Single Family	0.046%	\$114.27	\$11.43
10-6-100	459 Mount Support Rd	NORTHERN NE TELE OPER LLC	Unstaffed Telephone Bldg	0.0%	\$0.00	\$0.00
10-24-100	00 Mount Support Rd	DARTMOUTH COLLEGE TRUSTEES	Vacant	0.0%	\$0.00	\$0.00
10-24-200	00 Mount Support Rd	DARTMOUTH COLLEGE TRUSTEES	Vacant	0.0%	\$0.00	\$0.00
24-4	00 Mount Support Rd	DARTMOUTH COLLEGE TRUSTEES	Vacant	0.0%	\$0.00	\$0.00
24-8	00 Mount Support Rd	DARTMOUTH COLLEGE TRUSTEES	Vacant	0.0%	\$0.00	\$0.00
10-21	460 Mount Support Rd	MARY HITCHCOCK MEM HOSPITAL	Vacant	0.0%	\$0.00	\$0.00
10-23	0 Mount Support Rd	MARY HITCHCOCK MEM HOSPITAL	Vacant	0.0%	\$0.00	\$0.00
10-25	432 Mount Support Rd	MARY HITCHCOCK MEM HOSPITAL	Vacant	0.0%	\$0.00	\$0.00
24-6	424 Mount Support Rd	MARY HITCHCOCK MEM HOSPITAL	Vacant	0.0%	\$0.00	\$0.00
24-10	392 Mount Support Rd	PAT LUMBER JACK, INC	Vacant	0.0%	\$0.00	\$0.00
		CITY OF LEBANON SHARE	Background Growth / Other Dev'ts	7.452%	\$18,628.93	\$1,862.89
				100.0%	\$250,000.00	\$25,000.00

Chapter 147

SPECIAL ASSESSMENT PROCEDURE

GENERAL REFERENCES

**Sanitary sewerage construction costs — See Water investment fee — See Ch. 68, Art. I.
Ch. 123, Art. XVII, § 123-108.**

§ 147-1. Purpose.

The Council is required by § C419:58 of the City Charter to prescribe by general ordinance the complete special assessment procedure. The purpose of this chapter is to comply with that requirement.

§ 147-2. Procedure in chapter to be followed.

Whenever a special assessment is proposed to pay the expense, in whole or in part, of any public improvement pursuant to § C419:57 of the Charter, the procedure as set forth in this chapter shall be followed.

§ 147-3. Resolution of Council.

The City Council shall, by resolution, declare that the expense of a specifically described public improvement shall be paid in whole or in part by a special assessment upon the properties which receive special benefit. The resolution shall direct the Manager to obtain the plans, specifications and estimated costs of such public improvement for the purpose of scheduling of a public hearing and acting thereon. The resolution shall also direct the Manager to complete a special assessment roll containing all properties on which the special assessment is to be levied.

§ 147-4. Certification of Manager; scheduling of public hearing.

Upon certification from the Manager to the Council that the plans, specifications, estimate of costs and special assessment roll have been completed, the Council shall schedule a public hearing upon the proposed special assessment.

§ 147-5. Notice of public hearing.

Upon scheduling the public hearing for the proposed special assessment, the Council shall cause notice to be served as follows: The notice shall be set forth the day, date, time and place of the public hearing and shall contain a description of the specific public improvement for which the special assessment is proposed. The notice shall also state where, and during what hours, a copy of the plans, specifications, estimates of costs and special assessment roll may be reviewed and examined by any person. At least 10 clear days prior to the public hearing, such notice shall be sent by certified

mail to each property owner on the special assessment roll and published in a daily newspaper of general circulation in the city. For the purpose of this chapter, the term "10 clear days" shall not include the day the notice is mailed and published nor the day of the public hearing.

§ 147-6. Public hearing and Council action.

- A. At the public hearing before the Council, the Manager or his/her designee shall present the plans, specifications and estimate of costs of the specific public improvement, together with the list of properties on the special assessment roll. A recommendation shall be made to the Council as to the amount and terms of the special assessment and the basis for the special assessment for the properties on the assessment roll. The Council shall receive such information and comments from the public as it deems necessary and appropriate.
- B. After the close of the public hearing, the Council shall, by resolution, take appropriate action upon the requested special assessment, including the estimated costs, the specific plans and specifications, the property owners included on the special assessment roll and the amount and allocation of the special assessment.

§ 147-7. Lien.

All special assessments made pursuant to this chapter shall create a lien upon the properties listed on the special assessment roll in the same manner and to the same extent as real estate taxes.

§ 147-8. Collection of special assessments and execution of liens.

Special assessments made in accordance with this chapter shall be collected by the Tax Collector in the same manner as real estate taxes pursuant to the provisions of RSA Chapter 80. The Tax Collector shall have all the rights and remedies and be subject to the liabilities provided in RSA Chapter 80 relative to the collection of real estate taxes. All liens for special assessments made under this chapter shall be executed according to the provisions of RSA 80:85 - 80:86.

§ 147-9. Payment of special assessment.

All persons owning land subject to a special assessment made pursuant to this chapter shall be liable to pay the amount of the assessment to the city in the same manner as real estate taxes.

§ 147-10. Failure to pay assessment; tax lien.

The real estate of any person liable for a special assessment who does not pay such assessment on or before December 1 shall be subject to the tax lien procedure.

§ 147-11. Abatement procedure.

The City Council may abate any assessment upon receipt of an application for abatement from the owner of the land subject to such assessment. The following procedure shall apply to such abatement:

- A. The Mayor shall appoint a committee consisting of two members of the Council, the City Manager and the Tax Assessor, who will review the application for the abatement. The committee shall make a written report to the Council, together with recommendations. If the payment of the special assessment constitutes a financial hardship, the committee may consider establishing an installment payment schedule so long as the lien for the special assessment is not adversely affected.
- B. Any person aggrieved by a decision of the City Council as to an application for an abatement may appeal to the Superior Court as provided by law.

**AGENDA
LEBANON CITY COUNCIL
MAY 5, 2021**

10. NEW BUSINESS:

10.C – SET PUBLIC HEARING FOR JUNE 2, 2021:
SUPPLEMENTAL APPROPRIATION FOR FINAL PHASE IMPROVEMENTS AT
LEBANON RUSTY BERRINGS SKATEPARK

BACKGROUND

Phased improvements to the Lebanon Rusty Berrings Skatepark have been ongoing since 2017 as part of the Skatepark Redevelopment Capital Improvement Project. Final phases of the planned improvements are underway and include adding a transition into the park from the parking lot, removing prefabricated concrete retaining wall blocks and replacing them with a skateable retaining wall, adding some retaining walls around some Phase II features (currently experiencing erosion), and landscaping around new features. The total cost for the final phase improvements is \$70,000.

Friends of Lebanon Recreation are financing \$55,000 of the total cost, leaving a balance of \$15,000 to complete the project. Ample funds exist in the Recreation Arts & Parks Impact Fee account which Administration is requesting be utilized to fund the \$15,000 balance.

As this is an appropriation after the adoption of the 2021 Municipal Budget, Council action is required. Transfer of existing funds from the Recreation Arts & Parks Impact Fee account to the Skatepark Redevelopment Capital Improvement Project will have no adverse impacts on the tax rate.

ACTION

The Council is requested to consider the following motion:

MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, June 2, 2021, beginning at 7:00pm, Remote via Webex, for the purpose of receiving public input and taking action to appropriate \$15,000 for final phase improvements to Lebanon Rusty Berrings Skatepark; and to authorize disbursement of \$15,000 in Recreation Arts & Parks Impact Fees as the means to pay for the work.

Included in this Section:

1. April 26, 2021 memo from Paul Coats, Recreation Arts & Parks Director re: Authorization for disbursement of impact fee funds for Skatepark Final Phase Improvements

MEMORANDUM

TO: Mayor McNamara and Lebanon City Council
CC: Paula Maville and Shaun Mulholland
FROM: Paul Coats, Recreation Arts & Parks Director
SUBJECT: Authorization for disbursement of Impact Fee Funds for Skatepark Final Phase Improvements
DATE: April 26, 2021

INTRODUCTION:

Request for supplemental appropriation in the amount of \$15,000 for transfer of funds from the Recreation Arts & Parks Department Impact Fee account to Recreation Arts & Parks Capital Improvement Project account for the purpose of completing the final phase of planned improvements to Rusty Berrings Lebanon Skatepark.

BACKGROUND:

The Lebanon Skatepark and Riverside Community Park was constructed and opened in 2003. The wooden ramps installed in the skatepark had a projected lifespan of 10 years. In 2017, the City, together with our partners (Friends of Lebanon Recreation and the Kirschner family) began converting the skatepark into a modern concrete skate facility. Construction has occurred over 3 phases, including the addition of a new pavilion and lights in 2020. To date, the cost of the project totals \$540,000. Private donations have covered \$492,000 of the total, with the City allocating \$50,000 as part of the 2017 Capital Improvements Program

The final phase of the conversion to concrete includes adding a transition into the park from the parking lot, removing the 16 prefabricated concrete retaining wall blocks and replacing them with a skateable retaining wall, landscaping around these new features, and adding some retaining walls around some phase II features that are experiencing erosion. Total cost for this final phase is \$70,000.

RECOMMENDATION/RATIONALE:

The Lebanon Rusty Berrings Skatepark has become a regional destination serving skaters of all ages. We now consider Riverside Community Park in West Lebanon the City's busiest park outside of Colburn Park.

The Friends of Lebanon Recreation are financing \$55,000 of the cost for the final phase improvements (almost entirely from Kirschner family donations). The requested \$15,000 supplemental appropriation will cover the cost for landscaping, which is designed to reduce the maintenance required by City of Lebanon staff over the lifetime of the park. We benefit from cost savings by having this landscaping accomplished in conjunction with this project phase as opposed to a future year as we receive bulk materials purchasing and the contractor will have already mobilized equipment.

**AGENDA
LEBANON CITY COUNCIL
MAY 5, 2021**

10. NEW BUSINESS:

**10.D – DISCUSSION & SET PUBLIC HEARING FOR MAY 19, 2021:
POTENTIAL RESCISSION OF EMERGENCY ORDINANCE #2020-11, FACE MASKS**

BACKGROUND

On August 12, 2020, the City Council adopted Emergency Ordinance 2020-11 relative to requirements of wearing face masks under certain circumstances. The City Manager, in cooperation with the Health Officer and Emergency Management Director, made recommendations to the Council to implement the provisions of 2020-11 due to the impacts of the COVID-19 virus. The ordinance itself details the reasons for implementation of the face mask requirements.

The CDC and the NH Department of Public Health project that every American over the age of 16 who chooses to be vaccinated will have had a chance to do so by the middle of June 2021. The full effect of the vaccine is believed to take an additional two-week period. The present projections indicate that by the end of June everyone (16 years of age or older) who has chosen to be vaccinated, will be fully vaccinated. At the present time it is still unclear when children under the age of 16 will be fully vaccinated.

There have been cases of persons who have been fully vaccinated who have subsequently contracted COVID-19. At present, those numbers remain very low (as of this date there were 24 people in the state with this situation). The virus continues to mutate resulting in a variety of strains. The vaccines at present continue to be effective in preventing illness, as well as minimizing the health impacts of those contracting the virus.

As of the writing of this document (4/27/2021) the rate of new cases in the last 14 days for the City of Lebanon (per 100,000 population) is between 1-25. The actual number of cases in the City for the last 14 days was 18. As of this date there were only 10 active cases out of a population of approximately 14,000 people, or 0.07% of the City's population.

The City Manager in conjunction with the Health Officer and Emergency Management Director recommend the following:

1. The Council schedule a public hearing to rescind Emergency Ordinance 2020-11 (currently proposed for May 19, 2021). Further, that the Council not act to rescind 2020-11 until the last meeting in June with an effective date of June 30, 2021. This will allow City Administration to provide the Council with the latest information regarding the impacts of COVID-19 in the City.
2. The City Administration will continue to monitor the situation in collaboration with the CDC and the NH Department of Public Health as it relates to the following:
 - a. Rates of infection in the City.
 - b. The impacts of mutations as they develop and how they affect the ability of the present vaccines to prevent illness and their health impacts.
 - c. Vaccination rates in the City, the County, and the State.

3. The Council will need to determine whether the public health situation requires the wearing of face masks through an Emergency Order under the policing powers of the City or whether public health warnings and recommendations are adequate to mitigate the impacts of COVID-19.

ACTION

MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, May 19, 2021, remote via Webex, for the purpose of receiving public input and taking action on the potential rescission of Emergency Ordinance #2020-11, Face Masks, originally adopted by the City Council on August 12, 2020.

Included in this Section:

1. Emergency Ordinance #2020-11, Face Masks
2. State of NH COVID-19 Response Website <https://www.covid19.nh.gov/dashboard/map>

EMERGENCY ORDINANCE 2020-11 FACE MASKS

FOR THE PURPOSE OF reducing the risk of the spread of the COVID-19 virus; reducing the potential shutdown of the local economy and the negative impacts associated with such a shutdown; and potentially reducing the need for hospitalization and the number of fatalities, the City of Lebanon ordains as follows:

WHEREAS, a primary function of municipal government is the health and safety of those persons residing within or entering into it; and

WHEREAS, infectious diseases are caused by germs, such as viruses, bacteria, and parasites. COVID-19 is a viral illness that has the ability to be spread from person to person very easily through respiratory droplets. Public Health Officials have determined that it is well established that an individual infected with COVID-19 can transmit the disease whether or not they are exhibiting any symptoms; and

WHEREAS, on January 23, 2020, the World Health Organization declared a Public Health Emergency of International Concern and the United States Department of Health and Human Services declared a Public Health Emergency related to the COVID-19 outbreak on January 31, 2020; and

WHEREAS, on March 11, 2020 the World Health Organization declared COVID-19 a pandemic; and

WHEREAS, on March 13, 2020, the President of the United States declared a National Emergency under the federal Stafford Act due to the spread of COVID-19; and

WHEREAS, on March 13, 2020, the Governor of the State of New Hampshire declared a state of emergency exists due to the impacts of the COVID-19 pandemic; and

WHEREAS, the top officials of the World Health Organization, the Centers for Disease Control, the National Institute of Health and the New Hampshire Department of Health and Human Services (NH DHHS) Division of Public Health have all determined that COVID-19 is most commonly spread from an infected person to others through the dispersion of respiratory droplets, including:

1. Through the air by coughing or sneezing;
2. Close personal contact, such as touching or shaking hands;
3. Touching an object or surface with the virus on it, then touching mouth, nose, or eyes before washing of hands.

And,

WHEREAS, the CDC has determined that COVID-19 may also be spread before an infected person shows symptoms of the virus and are therefore, unaware they are infected; and

WHEREAS, it is clinically established that the best means of slowing the spread of a virus is through minimizing close personal contact with individuals in a public environment, social/physical distancing, covering one's mouth and nose by wearing a face covering, and utilizing frequent and proper hand washing. For optimal protection, the following key factors should be considered while wearing a face covering. The safe use of face coverings requires the wearer to maintain proper hand hygiene by hand washing frequently with either soap and water or hand sanitizer for at least 20 seconds. The wearer should prevent the spread of disease by avoiding touching their face, nose, or eyes and not touching the outside of the face coverings at all times; and

WHEREAS, cloth face coverings are most likely to reduce the spread of COVID-19 when they are widely used by people in public settings as they reduce the spray of respiratory droplets, particularly when combined with social/physical distancing and other sanitary measures such as washing hands or utilizing hand sanitizer; and

WHEREAS, the NH DHHS Division of Public Health has found that community-based transmission of COVID-19 has been identified in all counties of the State; and

WHEREAS, as of August 5, 2020 there have been 696,147 deaths worldwide related to COVID-19, 156,311 in the United States, and 418 in the State of New Hampshire. As of this date worldwide there have been 18,354,342 persons infected with COVID-19, 4,748,806 in the United States, 6,693 in the State of New Hampshire and 20 in the City of Lebanon. As of this date there have been 130.1 persons hospitalized per 100,000 people due to COVID-19 in the United States, and 698 persons in the State of New Hampshire; and

WHEREAS, the provisions of RSA 47:17, XV provide authority to city councils to adopt By-Laws and Ordinances for the well-being of the cities. Further, RSA 147:1 allows towns to make regulations for the public health and safety of the people and RSA 47:12 vests the authority of towns to make such public health regulations to city councils; and

WHEREAS, the City's goal is to reduce the risk of the spread of the COVID-19 virus, and reduce the potential for additional impacts to the local economy, while also acknowledging that community mitigation measures reduce the number of fatalities and those needing hospital care.

WHEREAS, it has been determined that the virus which causes COVID-19 spreads very easily and sustainably between people, particularly within indoor environments with limited fresh air exchange but also amongst persons in close physical proximity who cannot adequately social distance; and

WHEREAS, Lebanon serves as a regional hub, visited by thousands on a daily basis traveling from other areas of the State, Nation and Internationally; and

WHEREAS, in September 2020, more than 2,000 college students are expected to return to the Upper Valley to resume classes, traveling to the region from across the United States and

countries around the world; and

WHEREAS, the CDC, NIH, the Surgeon General of the United States and NH DHHS Division of Public Health have all recommended that persons wear a face covering to reduce the risk of spreading COVID-19 when within 6 feet of other persons (along with other mitigation measures); and

WHEREAS, the City's Emergency Management Director and Health Officer have discussed this matter in detail and recommend the following emergency ordinance measures to the City Council for adoption; and

WHEREAS, COVID-19 presents a clear and present danger to the general population of Lebanon and it behooves the community for the Council to take this emergency measure requiring the wearing of face coverings in certain situations to protect the public health.

NOW, THEREFORE the Lebanon City Council adopts the following Emergency Public Health regulations:

1. Employees of all businesses shall wear a face covering over their mouth and nose when interacting with the public and whenever they are within six feet of a customer or any co-worker who is not a member of the same household.
2. Members of the public entering or queued to enter; remaining in or exiting from, any business, governmental or non-profit owned premises including without limitation any outdoor area where business of any sort is conducted, work site, work place, or government building, must wear a face covering, such as a fabric mask, scarf, or bandana over their nose and mouth. This requirement shall also apply to persons traveling on public transportation such as Advance Transit buses. Policies regarding face coverings in governmental buildings within the geographical boundaries of the City of Lebanon adopted by the governmental entity having jurisdiction over such buildings are hereby recognized by this ordinance and shall control in such buildings. Property owners shall have the authority to regulate the requirement to wear masks by any person, while on the premises of their property, by allowing persons to temporarily remove their masks while remaining on the premises when it is practical or becomes necessary to do so based upon the requirements of the services provided.
3. Members of the public entering or queued to enter; remaining in or exiting from a restaurant or an establishment serving alcoholic beverages for the purpose of picking up food for take-out or any other purpose must wear a face covering over their mouth and nose. Members of the public dining indoors or outdoors at a restaurant may remove face covering while seated at their table. Members of the public must wear a mask when entering, using or leaving the restroom of a restaurant.

4. Residents, visitors, and members of the public entering or present at a residential or commercial building complex of greater than two (2) units must wear a face covering over their nose and mouth while in common areas and communal spaces when social distancing of at least six feet from non-household members is not practiced.
5. Members of the public utilizing the Mascoma Greenway, the Northern Rail Trail, sidewalks and other pedestrian public ways, or public recreational lands, are strongly encouraged but not required to wear a face covering to the fullest extent practicable and especially when there is a high likelihood of coming into contact with others and social distancing of at least six feet may not be possible.
6. As used herein “face covering” means a covering made of cloth, fabric, or other soft or permeable material, without holes or exhalation air valves, that covers the nose, mouth, and surrounding areas of the lower face. A face covering may be factory made or homemade and improvised from ordinary household materials.
7. Notwithstanding the above this order does not require children under 10 years of age to wear face covering (parents should make their own judgment). Face covering is not recommended for children less than 2 years of age.
8. A face covering is also not required to be worn by any person if said person can show a medical professional has advised that wearing a face covering may pose a risk to said person for health-related reasons.
9. Any person who violates this ordinance shall be subject to a fine for the first offense in the amount of \$100, for a second offense or subsequent offense the fine shall be \$250.
10. A person may temporarily remove their mask when in a business if obtaining a service or product that requires verification of the person’s identity or age.

This ordinance shall be effective immediately upon passage and shall continue in effect until rescinded by action of the Council. Effective date August 12, 2020 at 9:00 PM.

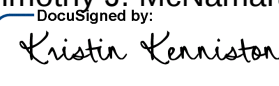
The ordinance shall be effective immediately upon passage and shall continue in effect until rescinded by action of the Council.

This Emergency Ordinance was adopted by the City Council on August 12, 2020 and is hereby authenticated by the undersigned as required by Section C419:22 of the City Charter.

CITY OF LEBANON

By:  DocuSigned by:
E08A405E81504ED...

Timothy J. McNamara, Mayor

By:  DocuSigned by:
73ADE3C8F5594A7...

Kristin M. Kenniston, City Clerk

Effective Date: August 12, 2020

Date of Publication of Notice of Public Hearing: July 3, 2020

Date of Public Hearing: August 12, 2020

Date of Adoption: August 12, 2020

Date of Notice of Adoption: August 22, 2020

Date of Recording of the Ordinance by the City Clerk: August 22, 2020