

FINAL

LEBANON CITY COUNCIL

Regular Meeting

City Hall – Council Chambers

Wednesday, May 15, 2019

7:00 P.M.

MEMBERS PRESENT Mayor Timothy McNamara, Assistant Mayor Clifton Below, Councilors Bruce Bronner, Erling Heistad, Karen Liot Hill, Suzanne Prentiss, Shane Smith, Jim Winny and Karen Zook

MEMBERS ABSENT None

STAFF PRESENT Shaun Mulholland (City Manager), Paula Maville (Deputy City Manager), James Donison (Director DPW), Vicki Lee (Deputy Finance Director), Tad Montgomery (Energy and Facilities Manager), David Brooks (Planning & Zoning Director), Shelly Hadfield (City Consultant)

GUESTS Dave Fox (Raftelis), Dan Weeks, Steve Dzubak and Kimberly Quirk (Revision)

Mayor McNamara called the meeting to order at 6:58 PM.

8. OLD BUSINESS

A. Remove from Table and Discuss Ordinance #2019-04 To Amend City Code Chapter 152, Streets and Sidewalks, Article II, Excavations

Councilor Hill MOVED to take this off the table.

Seconded by Councilor Prentiss.

**The vote on the MOTION passed unanimously (9-0).*

The amendments to the ordinance include an increase in the application fee; a Roadway Degradation Fee and “Greenbelt” Excavation Fee. The ordinance is being amended to protect streets and sidewalks for streets and pavements that are not more than seven years old. There was a prior request for these amendments and Mr. Donison was available to the City Council to answer any questions. The Council’s discussion focused on the additional burden to residents with limited finances and the additional hardship these fees would put on them when there is already a financial burden of an emergency to replace a sewer line because there is a failure. They considered the reduction of the excavation permit fee. The greenbelt excavation fee could be reduced, as this area is usually thought of as the owner’s yard. The Council asked what the City is going to do with the greenbelt fee, because the resident still has to pay to restore the lawn and always maintains the lawns as well. The greenbelt is considered the area between the sidewalk and the roadway but will also include the zone of influence that would be degraded by the excavation. They discussed the greenbelt fees and what it covered, the roadway degradation fees, the excavation permits, and the fees associated with each. They reviewed how the bond that has to be filed with the City for this work can be pulled to make repairs if the owner comply. The City Manager discussed how the rates were determined, including staff time to inspect and file the paperwork.

The Council would like more clarification on how the greenbelt fee is charged, relative to sidewalks and those areas where the City has a risk. Does it include the area between the road, the sidewalk and a certain distance behind the sidewalk? They would like to place some parameters on the greenbelt fee and

an adjusted rate to \$1.50 per square feet was discussed. They would like to consider language for the discretion of the hardships, and distinctions between family and commercial premises. There is support for waving the degradation and greenbelt fee for single family emergency situations, but not the permit fee and the bond fee. They will discuss the details again before setting a public hearing.