

FINAL

**LEBANON CITY COUNCIL
MINUTES, REGULAR SESSION
Council Chambers - City Hall
Wednesday, March 18, 2020
7:00 p.m.**

MEMBERS PRESENT: Mayor Tim McNamara, Assistant Mayor Clifton Below, Bruce Bronner (remote attendance), Erling Heistad, Karen Liot Hill, Suzanne Prentiss, George Sykes, Jim Winny, Karen Zook

MEMBERS ABSENT: None

STAFF PRESENT: City Manager Shaun Mulholland. Remote Attendance: Fire Chief & Emergency Management Director Chris Christopoulos, Public Works Director Jim Donison and Staff Engineer Erica Brittner

Mayor McNamara called the meeting to order at 7:00 p.m.

- This was the first live-stream meeting for the City Council (due to the Coronavirus situation in our area). For those who participated in the live-stream meeting, there was a Q&A function where questions could be written and then answered by the Council.
- Councilor Bronner participated in this meeting via phone because he was out-of-state on business.

1. PLEDGE OF ALLEGIANCE: Councilor Winny led the Council in the Pledge.

2. PUBLIC FORUM: Mayor McNamara made the Public Forum announcement.

3. OPEN TO PUBLIC: No one from the public came forth in person or remotely.

4. RECOGNITIONS:

**A. RESOLUTION HONORING AVA GALLERY and ART CENTER'S THIRTY YEARS
IN LEBANON**

WHEREAS, the City's Master Plan recognizes that artists, crafts people, design professionals, cultural organizations, media companies and other businesses in the creative sector are a growing component of the Upper Valley economy; and;

WHEREAS, the City recognizes that a strong creative economy generates employment opportunities for its residents; and;

WHEREAS, the City recognizes that a strong creative economy improves quality of life for the City's residents and visitors; and;

WHEREAS, the visual arts are vital to the economic and social fabric of the City; and;

WHEREAS, the New Hampshire State Council on the Arts affirms the importance of access to the arts in the development of creativity and problem solving in children, healing for individuals with health challenges, and community identity and pride; and;

**WHEREAS, the City of Lebanon has recently demonstrated its commitment to supporting the arts in the City through the formation of the Arts and Culture Commission; and;
WHEREAS, the AVA Gallery and Art Center provides the City’s residents and visitors with access to the visual arts through year-round arts exhibitions, classes for all ages and abilities, and free community-spirited programs; and;**

WHEREAS, March 16, 2020 marks the thirty-year anniversary of AVA Gallery’s first exhibition in Lebanon.

THEREFORE, BE IT RESOLVED, that the Lebanon City Council, on behalf of the City of Lebanon, formally recognizes the vital role that AVA Gallery and Art Center has played as a keystone of the City’s creative economy through the last thirty years. The City extends its gratitude to AVA Gallery for the many ways in which its presence in Lebanon has improved the quality of life for the City’s residents and visitors, and commits to continued support of the Arts in the City through the Arts and Culture Commission.

BE IT FURTHER RESOLVED, that this resolution be written upon the minutes of the Lebanon City Council meeting and a copy be presented to AVA Gallery and Art Center.

Dated this day March 18, 2020, in Lebanon, New Hampshire.

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

5. ACCEPTANCE OF MINUTES:

- March 4, 2020 (Regular Session)

Councilor Prentiss MOVED to approve the March 4, 2020 (Regular Session) Minutes as written in March 18, 2020 agenda packet.

Seconded by Councilor Hill.

Roll Call Vote:

Mayor Tim McNamara, Assistant Mayor Clifton Below and Councilors Bronner, Heistad, Hill, Prentiss, Sykes & Winny all voting YEA.

None voted NAY.

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

6. APPOINTMENTS: NONE

7. PUBLIC HEARING ITEMS:

A. ORDINANCE #2020-03

A public hearing for the purpose of receiving public input and taking action to amend City Code Chapter 46, Cemeteries, to update a number of fees, to remove requirements for a Perpetual Care Trust Fund, and to include provisions for the establishment of a Cemetery Maintenance & Preservation Fund

The Cemetery Board of Trustees asked the Council to postpone the public hearing and not take action on Ordinance #2020-03. Questions have arisen regarding the structure and governance of the proposed Cemetery Maintenance & Preservation Fund which must be answered before language is adopted and incorporated in Chapter 46.

ACTION: None taken

8. OLD BUSINESS: NONE

9. NEW BUSINESS

A. COVID-19 Update with Fire Chief/Emergency Management Director Chris Christopoulos

Fire Chief & Emergency Management Director Chris Christopoulos came forth (remotely) to update the Council and public on the City's and regional response efforts for COVID-19 as listed below:

- Lebanon's Community Operations Center has been open and active, as well as the Regional Public Health Command Center. Their focus right now is ensuring that the City, and all of our regional public safety personnel (12 member communities in our region) are equipped with the right protective equipment (PPE). Limited quantities of PPE have been distributed from the Public Health cash.
- Updates on COVID-19 are being sent out as much as possible.
- To date, while he was uncertain about the specific number of people infected in our region with COVID-19, they are starting to see community spread of this virus.
- We are actively engaged in the planning process for a medical surge in COVID-19 cases with Alice Peck Day Hospital and Dartmouth-Hitchcock Medical Center because more cases are expected to continue to spread.
- Internal Fire Department plans are being developed to include new policies related to limiting their potential exposure to COVID-19.
- The Emergency Orders enacted by the State's Governor and the US President are being worked on to transition from containment to mitigation strategies and self-distancing.
- Chief Christopoulos felt there will be some dramatic times ahead and expects the Regional Public Health Command Center to be pretty active through at least August 2020, if not longer.

Councilor Hill asked how confident he was in the City being able to communicate with all of Lebanon's residents effectively. While Chief Christopoulos did not have a direct answer to this question, information was going out through a myriad of sources (i.e., schools, the Emergency Management website, etc.) and was hopeful people were getting our messages, noting there are a lot of groups involved in planning meetings and conference calls. However, he was open to other suggestions.

Councilor Hill asked if Lebanon had reverse 911 calling, or other mechanisms in place in case Lebanon was in a position of having to take action on a real and imminent crisis where there would be a need to communicate quickly and directly with the City's residents. Chief Christopoulos said they have the ability to use reverse 911 calling and Code Red technology.

Councilor Hill expressed her concern about parts of the City not having reliable internet access and recalled their franchise discussion with Comcast. Councilor Prentiss thought this issue had been settled, but was not positive, so Councilor Hill suggested someone follow-up and bring more information back to the Council. She wanted to make sure there was at least internet access to everyone in the City of Lebanon, especially since the internet is being used more and more to communicate with people, noting

her concern was for those people who do not have landlines where they can receive a Code Red or reverse 911 messaging.

Mr. Mulholland explained the City has a number of options besides a reverse 911 or Code Red. Lebanon also has what is called an IPAWS (Integrated Public Alert & Warning System) that does not rely on the internet. IPAWS transmits over every type of electronic communication device, whether it be telephone, TV, cell phones, etc. He acknowledged there are sections in the northern part of the City that do not have broad band service.

Councilor Heistad asked about the numbers of folks infected in Grafton County. Chief Christopoulos said the City's website has been updated with the latest release of this information, noting that early on it was great to have those numbers but we have now transitioned to the strategy of containment due to community spread so the numbers are not quite as important to him from a management perspective. All the things being done, both locally and in partnership with our hospitals, are geared towards the expectation that we are going to start seeing a lot more cases and 99% of the cases in Grafton County are centric to Hanover and Lebanon right now.

Councilor Winny asked if the number of cases in Grafton County was due to more testing being done at Dartmouth-Hitchcock. Chief Christopoulos was uncertain if it was due to more testing in this area or because there is a better incidence of community spread.

Mr. Mulholland said the City is looking at a 30, 60 or 90 day operation. All departments have Continuity of Operation Plans that have been put into effect to provide critical services to the people of the City. Platforms are being worked on to allow for the electronic needs of the City's residents, such as this meeting. At present, the City Council still requires a physical membership quorum and will be working with the Governor's Office on changing this requirement as well as a subsequent Emergency Order, since the expectation is that COVID-19 will continue through the summer. The City would like to also conduct other non-emergency City business and would like other committee members to not have to be physically present during their meetings, allowing them to avoid unnecessary risk. This would also allow residents to participate (remotely) in other committee meetings, so they are not putting themselves at risk.

ACTION:

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

B. PRESENTATION of 5-year Highway Maintenance Plan

Included in the agenda were the: 1. March 11, 2020 Memo by Jim Donison and Erica Brittner re: 5-Year Roadway Improvement Plan; 2. City of Lebanon 2021-2025 Pavement Preservation Plan; 3. City of Lebanon Roadway Preservation 5-Year Plan - PowerPoint Presentation

Public Works Director James Donison and Staff Engineer Erica Brittner came before the Council (remotely) to review the results of StreetsScan Inc.'s assessment and discuss the City's proposed 5-year maintenance plan that addresses the maintenance needs of Lebanon's roadway system. The list of roads and the proposed improvements are based upon a pavement program budget of \$500,000 per year and ongoing CIP projects including CSO's 11, 12 and 13.

Ms. Brittner gave a detailed overview to the Council of the 5-year roadway improvement plan for the city, which will run from 2021-2025 (pages 35-44 in agenda packet). Her overview also included maps from StreetScan, Inc. that were not included in the agenda packet.

The City retained StreetScan Inc. in 2019 to perform an assessment of roadways and sidewalks. Based upon the StreetScan assessment, the current City of Lebanon roadway Pavement Condition Index (PCI) is 72. The City currently has 91 miles of publicly maintained, paved roads.

Based upon the StreetScan assessment roadways were rated with weighting factors for the type of road (i.e., major and minor collectors and major and minor arterials), resulting in a 5-year plan of roadways with various preservation repair techniques. The 5-year plan proposed using \$400,000 of the \$500,000 annual roadway budget applied to the various preservation techniques including crack sealing, fog sealing, stone chip/cape seal with a microsurfacing, mill-shim-overlay and reclamation with paving. The remaining \$100,000 has been applied to secondary minor arterial roads which are all in need of pavement preservation but have low traffic volumes, therefore, they did not rank high on the 5-year plan. These roadway preservation techniques will include shim and rubberized chip sealing or shim and pavement overlay, each at an estimated cost of \$25 per linear foot. This results in 4,000 linear feet of secondary minor roads to be improved upon/preserved.

Mayor McNamara informed Ms. Brittner about Poverty Lane, where the crack sealing was used, noting that when plowing was done the roadway peeled allowing a piece of rubber to coming out of the cracks in the pavement. Is this a common problem and is there any way to extend the life of the crack sealing. Ms. Brittner said one of the things they will try this year is to actually do it earlier in the season. Mr. Donison noted DPW is now using a fiber reinforced crack sealing product, which should help to reduce the peeling.

The StreetScan assessment included 30 miles of sidewalks with a resulting sidewalk condition index of 74. A 5-year sidewalk plan will be prepared in 2020-2021 with funding included in future budget requests.

The Council and Ms. Brittner discussed fog sealing, stone chip/cape sealing, shim-overlay; improving road drainage and taking out ruts; the process of cold and place recycling, which is higher technique used in other communities; avoiding the “set it forget it” approach; and establishing a plan for cheaper methods to help protect Lebanon’s road.

Councilor Below observed that the cold & place recycle method could potentially have the longest life extension and would also reduce greenhouse gases by up to 90% and asked if there were other communities using these techniques. Ms. Brittner said they will be working with the City of Manchester and companies who use a lot of the newer techniques.

In response to Councilor Heistad’s question about the rebuild for Kimball Street, Ms. Brittner said it is 100% on the list, but would not be a full reconstruction right now. It would be its own separate project. In the interim, DPW would be doing some work on it to get through the next year.

Ms. Brittner reviewed the Preservation vs. the Rehabilitations graph on p. 43 of agenda packet as listed below:

PRESERVATION STRATEGY:

Years 5 & 30: Fog Seal

Years 14 & 39: Crack Seal

Years 10 & 35: Chip Seal (Single)

Years 17 & 42: AR Chip Seal

Year 25: Bonded Wearing Course

TOTAL COST/SAVINGS PER YEAR OVER 50 YEARS = \$28.65 as opposed to \$48.00

Councilor Heistad also noted people were anxious about the conditions of Shaw Street (the road that connects to Kimble Street) hoping that something could be done on this road.

Councilor Winny asked what determines the preservation length estimates and if some of these preservation techniques had a better bang for the buck in terms of how much estimated life you get vs. the cost. For the preservation length times, Ms. Brittner noted it depends on a lot of other factors. For instance, if there are great base soils and materials, good drainage, and ditches are being cleaned out regularly, everything will last longer. Regarding the techniques used, everything is just a tool, noting that spending more money now on cracked sealing and taking care of things early on would be much cheaper in the long run, but all of this really depends on the condition of the road and what the roads PCI is.

In response to Councilor Sykes question, Ms. Brittner said the final assessment method decision will come from Director Donison and described how this process would work.

Ms. Brittner reviewed the difference in costs for each of the techniques listed above.

In response to Councilor Hill's question about how the PCI would be monitored over time, Ms. Brittner said one of the features of the StreetScan program is that it gives DPW a lot of flexibility to put future construction projects into the program, or change the situation of any scenario. DPW can also change the PCI of roads and explained the process. DPW would like to have StreetScan come back every 5-years to rescan and update the City's roads so we can see how they are changing, how different techniques are working, and determine if other techniques should be used on a particular road(s).

Councilor Hill asked about StreetScan's cost and how the City's drainage system maintenance is being monitored. Ms. Brittner informed the Council the initial StreetScan cost was \$50K, but would not be that much for a redo in 5-years. StreetScan's cost is \$15K per year, which includes their website hosting fees and all the data, etc. DPW is putting together an Assessment Management Plan so in the future they can track the Asset Management Program for drainage or repair issues and explained how this would be done.

Mr. Donison reviewed and answered the Council's questions for all the roads included the City's 5-year Roadway Preservation Plan (page 33 of agenda packet). The plan included the year of roadway repair, the names of each street to be repaired, the linear feet and length in miles for each road, the preservation method proposed, and their life expectancy. The spread sheet presented in the agenda packet did not have Air Park Road, Chambers Road, Fairway Hill Top Drive or East Wilder but he will provide the Council with his updated document that includes these roads.

Mayor McNamara said he has received some complaints regarding the condition of Rudsboro Road, which is on the 2020 schedule for an overlay, noting that Rudsboro is a high traffic road for commuters and questioned how priorities are being made. Mr. Mulholland said that when the strategies were developed, the majority of the money was being spent on high volume roadways, but they did not want to neglect the neighborhoods that have low volume traffic.

Mr. Donison informed the Council that DPW's strategy was to use 20% (approximately \$100K of the \$500K per year through 2026) of the road preservation budget (excluding CSO Capital Projects) on side roads. The reason why Rudsboro Road was included in 2020 was because there was a storm event in 2017 that washed out the side slope of this road, noting Northwoods Excavating will be doing the slope stabilization and only 500 feet of Rudsboro Road will be repaired in 2020.

The Council and Mr. Donison also discussed the work to be done on Kimball Street and other streets in the Kimball Street neighborhood. Mr. Donison noted all these streets have water mains and, according to

DPW records they are dated to pre-1931, are undersized, and might end up being more of an infrastructure project because these water mains should be replaced.

Councilor Bronner dropped out of the meeting.

Mr. Donison presented the Council with a table of costs for each of the roads included in Lebanon's 5-year Preservation Plan and will provide the Council with a copy of these costs so it can be discussed at a future date.

Mr. Mulholland informed the Council the proposed \$500K per year roadway budget has not been adjusted for inflation so some streets may be dropped if the Council sticks to this budget. Difficult decisions may need to be made in the next few years regarding just how much the City can really afford to be borrowing for street repairs and what streets are priorities.

Councilor Hill suggested that 20% of each year's \$500K budget may be high and would be worth discussing in the future.

Mr. Donison confirmed he will provide the Council with an updated list of the proposed 5-year Roadway Preservation Plan, the spread sheet list of each roadways estimated repair costs, and will check into giving Council members log-in access to StreetScan's data.

ACTION :

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

- C. Discussion & Set Public Hearing for April 15, 2020: Amend 2020 Capital Budget to include Spencer Street Reconstruction Project and transfer \$100,000 (One Hundred Thousand Dollars) from the 20 Spencer Street Cleanup Project to the Spencer Street Reconstruction Project. Funds will be utilized for the engineering phase of the project.**

Included in the agenda packet was the March 11, 2020 Memo from Jim Donison, Public Works Director.

Mr. Mulholland came before the Council representing the 20 Spencer Street Cleanup Project, noting the cleanup of the 20 Spencer Street property (former location of the City's DPW facility) was included in the 2020-2025 Capital Improvement Program. Three Hundred Thousand Dollars (\$300,000) was included in the 2020 Capital Budget to fund the cleanup of the site (full demolition of existing structures and environmental remediation), but the bid results yielded a need for just under \$200,000 to complete the project as proposed. Administration is requesting that the remaining \$100,000 be repurposed to allow design engineering for the reconstruction of Spencer Street.

If funding is approved, reconstruction of the street would be in conjunction with redevelopment of the site. Changes to the street would be in concert with the alternatives put forth as part of the 2016 Downtown Visioning Study, taking us one step closer to implementing the desired outcomes of the study.

ACTION:

Councilor Hill MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, April 15, 2020, beginning at 7:00pm in Council Chambers, 20 West Park Street, Room 386, Lebanon, for the purpose of receiving public input and taking action to amend the 2020 Capital Budget to include the Spencer Street Reconstruction Project and to transfer \$100,000 (One

Hundred Thousand Dollars) from the 20 Spencer Street Cleanup Project to the Spencer Street Reconstruction Project to fund design engineering costs.

Seconded by Councilor Prentiss.

****The Vote on the MOTION was unanimously approved (8-0).*** Councilor Bronner was not present for this vote.

D. Disbanding the Economic Vitality Exchange Committee (EVEC)

Included in the agenda packet were the February 26, 2020 EVEC Minutes.

The Economic Vitality Exchange Committee (EVEC) was established by the City Council in 2013 as a means to build relations with the business community through the provision of an open and candid environment for listening sessions and exchanges of ideas that would promote sustainable economic vitality for the City of Lebanon in the 21st Century.

The discussions around economic vitality in the City have evolved since the time that EVEC was established, and an updated direction has been set with the creation of the Economic Development Commission.

Due to the change of direction and advancement of economic development initiatives in the City, EVEC has recommended that they be disbanded in favor of continuing with the Economic Development Commission.

ACTION:

Councilor Prentiss MOVED, that the Lebanon City Council hereby accepts the recommendation of the Economic Vitality Exchange Committee and at this time sunsets and officially disbands the committee.

BE IT FURTHER MOVED, that the City Council extends its sincerest gratitude for the service of those committee members that have participated over the past seven years and looks forward to a continued relationship with those serving on the Economic Development Commission.

Seconded by Councilor Sykes.

****The Vote on the MOTION was unanimously approved (8-0).*** Councilor Bronner was not present for this vote.

10. REPORTS

A. City Manager - Mr. Mulholland updated the Council on the following:

- DPW met with DOT representatives to discuss some of the unresolved issues regarding the Route 12A Dry Bridge Project as it relates to the access road to Westboro Road. What was proposed for the access road was a 50/50 split in costs instead of an 80/20 split. After discussing some of the pros/cons of the 50/50 cost split, the Council was in support of the City Manager moving forward with the 50/50 cost share for the access road so the project could move forward. However, some Councilors felt Lebanon deserved a much better deal.
- The City's EV (electric vehicle) was picked up and is ready for use.
- The Electrify America lease has been signed.
- Greenhouse gases for the City have decreased. Councilor Sykes noted the States EV Commission had nothing but praise for the City of Lebanon.

B. Council Representatives to other bodies: None

11. FUTURE AGENDA ITEMS: NONE

12. NON-PUBLIC SESSION: Took place at 5:30 pm, before the regular meeting started.

13. ADJOURNMENT:

Councilor Winny MOVED for adjournment.

Seconded by Councilor Hill.

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

The meeting was adjourned at 8:51 p.m.

Respectfully submitted,

Dona E. Gibson

Recording Secretary