

FINAL

**LEBANON CITY COUNCIL
MINUTES, REGULAR SESSION
Wednesday, May 6, 2020 - 7:00pm
Remote Via Microsoft Teams: LebanonNH.gov/Live**

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

MEMBERS ABSENT: None

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager Paula Maville, City Clerk Sandra Allard, Deputy City Clerk Kristin Kenniston, Planning & Zoning Director David Brooks, Finance Director Vicki Lee, HR Director Gloria Leskiewicz, Solid Waste Manager Marc Morgan, DPW Director Jim Donison, DPW Assistant Director Jay Cairelli, Chief Assessor Rick Vincent, Tom Taplin (IT)

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

City Manager Mulholland informed the public this meeting was taking place virtually due to the COVID-19 Pandemic and is thereby being conducted in accordance with the Emergency Orders issued by the New Hampshire Governor.

- 1. PLEDGE OF ALLEGIANCE:** Mayor McNamara 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.

City Manager Mulholland, on behalf of City Hall staff, thanked and extended their appreciation to Councilor Winny for providing a BBQ luncheon to City Hall employees.

- 4. RECOGNITIONS -** Mayor McNamara read the follow:

**PROCLAMATION
OLDER AMERICANS MONTH – MAY 2020**

WHEREAS, The City of Lebanon includes a growing number of older Americans who enrich our community through their diverse life experiences; and

WHEREAS, The City of Lebanon is committed to strengthening our community by connecting with and supporting older adults, their families, and caregivers and acknowledging their many valuable contributions to society; and

WHEREAS, The City of Lebanon recognizes the importance of bringing together all generations and engaging in activities that promote physical, mental, and emotional wellbeing for the benefit of all; and

WHEREAS, The City of Lebanon can enhance the lives of older Americans in our community by:

- Promoting home and community-based services that support independent living;
- Involving older adults in community events and other activities; and
- Providing opportunities for older adults to work, volunteer, learn, lead and mentor.

THEREFORE, BE IT NOW RESOLVED, that the City of Lebanon, N.H., proclaims May 2020 to be Older Americans Month. We urge every resident to take time during this month to recognize older adults and the people who serve them as essential and valuable members of our community. Proclaimed this 6th Day of March in the year Two Thousand and Twenty.

Timothy J. McNamara
Mayor, City of Lebanon

5. ACCEPTANCE OF MINUTES:

- April 15, 2020 (Regular Session)

***Councilor Prentiss MOVED to approve the April 15, 2020 City Council (Regular Session) Minutes as written in the May 6, 2020 City Council agenda packet.
Seconded by Councilor Liot Hill.***

Roll Call Vote:

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

None voted Nay.

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

6. APPOINTMENTS:

City Manager Mulholland reviewed the procedural requirements for nominating City Council members to the Planning Board. The Council then took the following Action:

Councilor Heistad nominated Councilor Winny as the City Council’s regular member to the Planning Board.

Seconded by Councilor Prentiss.

There were no other nominations.

Roll Call Vote:

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

None voted Nay.

Councilor Winny abstained.

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

Assistant Mayor Below nominated Councilor Liot Hill as the City Council’s alternate representative to the Planning Board.

Seconded by Councilor Bronner.

There were no other nominations.

Roll Call Vote:

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

None voted Nay.

Councilor Liot Hill abstained.

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

- Planning Board: Thomas Martz (Regular Member)

City Manager Mulholland put forth the nomination of Thomas Martz for appointment to the Planning Board as a regular member. Three-year term (5/20 – 5/23)

Secoded by Councilor Liot Hill.

Roll Call Vote:

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

None voted Nay.

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

- Economic Development Commission: Kevin Purcell (Regular Member)

Councilor Liot Hill nominated Kevin Purcell as a regular member of the Economic Development Commission. Two-year term (5/20-5/22).

Secoded by Councilor Prentiss.

Roll Call Vote:

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

None voted Nay.

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

The Library Board of Trustees has recommended that Corrine Erskine be appointed as an alternate member of the Library Board of Trustees. One-year term (5/20-5/21).

Councilor Zook nominated Corrine Erskine as an alternate member to the Library Board of Trustees. One-year term (5/20-5/21).

Secoded by Councilor Heistad.

Roll Call Vote:

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

None voted Nay.

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

7. PUBLIC HEARING ITEMS:

A. AMEND ORDINANCE #18

Public Hearing for the purpose of receiving public input and taking action to amend Ordinance #18, Salary Plan, Article III, Bargaining Unit Employees, to include the position of Assistant City Engineer within the Pay Scale for the Lebanon Professional Administrative Salaried Employees (LPASE) Bargaining Unit

Included in the agenda packet was the March 24, 2020 Memo by Gloria Leskiewicz, Human Resources Director re: Including the position of Assistant City Engineer in the LPASE Bargaining Unit Employees Compensation and Classification Schedule.

Ms. Gloria Leskiewicz came before the Council representing the third presentation to Amend Ordinance #18.

Due to mutual agreements reached between the City of Lebanon, the Lebanon Professional, Administrative, Salaried Employees Bargaining Unit (LPASE) and American Federation of State, County and Municipal Employees (AFSCME), a Modification Petition was filed with the New Hampshire Public Employee Labor Relations Board to include the position of Assistant City Engineer within LPASE. To effectuate this change, the City Council is asked to amend Ordinance No. 18, Salary Plan, as follows:

Amend Article III, Bargaining Unit Employees, Lebanon Professional, Administrative, Salaried Employees (LPASE) to include the position of Assistant City Engineer (Grade 9).

Amending Ordinance #18, Salary Plan 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 April 1; the second was April 15; and the third is May 6 with action to amend the ordinance following a public hearing.

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

ACTION:

Councilor Sykes MOVED, that the Lebanon City Council acknowledges the third of three presentations to amend Ordinance No. 18, Article III, Bargaining Unit Employees, Lebanon Professional, Administrative, Salaried Employees (LPASE) to include the position of Assistant City Engineer (Grade 9)

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, Article III, Bargaining Unit Employees, Lebanon Professional, Administrative, Salaried Employees (LPASE) to include the position of Assistant City Engineer (Grade 9) as referenced in the May 6, 2020 City Council agenda.

LEBANON PROFESSIONAL AND SALARIED EMPLOYEES – 2020 SALARY GRADES – 1.6% GWI								
Grade	Position Title	Minimum Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Maximum Step 7
6		\$24.59	\$25.61	\$26.64	\$27.67	\$28.70	\$29.69	\$30.72
7	Field Inspector	\$25.58	\$26.64	\$27.70	\$28.76	\$29.81	\$30.87	\$31.97
8	Code/Health inspector	\$26.09	\$27.18	\$28.24	\$29.33	\$30.42	\$31.50	\$32.62
	Real Estate Appraiser 2	\$26.09	\$27.18	\$28.24	\$29.33	\$30.42	\$31.50	\$32.62

	Associate Planner	\$1,043.81	\$1,087.20	\$1,130.13	\$1,173.28	\$1,216.80	\$1,260.00	\$1,304.95
9	<i>Assistant City Engineer</i>	\$28.17	\$29.82	\$31.46	\$33.11	\$34.76	\$36.39	\$38.05
	Communication Supervisor	\$28.17	\$29.82	\$31.46	\$33.11	\$34.76	\$36.39	\$38.05
	Cemetery Sexton	\$28.17	\$29.82	\$31.46	\$33.11	\$34.76	\$36.39	\$38.05
	Fleet Maintenance Superintendent	\$28.17	\$29.82	\$31.46	\$33.11	\$34.76	\$36.39	\$38.05
	Maintenance Superintendent	\$28.17	\$29.82	\$31.46	\$33.11	\$34.76	\$36.39	\$38.05
	Recreation Program Coordinator	\$1,127.07	\$1,192.90	\$1,258.40	\$1,324.46	\$1,390.40	\$1,455.72	\$1,522.00
10	Utilities Maintenance Superintendent	\$31.01	\$32.81	\$34.60	\$36.42	\$38.21	\$40.02	\$41.83
	Wastewater Treatment Superintendent	\$31.01	\$32.81	\$34.60	\$36.42	\$38.21	\$40.02	\$41.83
	Water Treatment Superintendent	\$31.01	\$32.81	\$34.60	\$36.42	\$38.21	\$40.02	\$41.83
	Administrative Services Manager	\$1,240.40	\$1,312.40	\$1,384.20	\$1,456.80	\$1,528.42	\$1,600.80	\$1,673.31
	Airport Operations Supervisor	\$1,240.40	\$1,312.40	\$1,384.20	\$1,456.80	\$1,528.42	\$1,600.80	\$1,673.31
	Assistant Recreation Director	\$1,240.40	\$1,312.40	\$1,384.20	\$1,456.80	\$1,528.42	\$1,600.80	\$1,673.31
	Code Enforcement Director	\$1,240.40	\$1,312.40	\$1,384.20	\$1,456.80	\$1,528.42	\$1,600.80	\$1,673.31
	Fire Marshal	\$1,240.40	\$1,312.40	\$1,384.20	\$1,456.80	\$1,528.42	\$1,600.80	\$1,673.31
	GIS Coordinator	\$1,240.40	\$1,312.40	\$1,384.20	\$1,456.80	\$1,528.42	\$1,600.80	\$1,673.31
	Senior Planner	\$1,240.40	\$1,312.40	\$1,384.20	\$1,456.80	\$1,528.42	\$1,600.80	\$1,673.31
11	City Engineer	\$1,363.88	\$1,443.40	\$1,522.91	\$1,602.44	\$1,681.95	\$1,761.49	\$1,841.01
	City Planner	\$1,363.88	\$1,443.40	\$1,522.91	\$1,602.44	\$1,681.95	\$1,761.49	\$1,841.01
12	City Assessor	\$1,390.61	\$1,471.81	\$1,552.99	\$1,634.16	\$1,715.34	\$1,796.53	\$1,877.76
	Deputy Fire Chief	\$1,390.61	\$1,471.81	\$1,552.99	\$1,634.16	\$1,715.34	\$1,796.53	\$1,877.76
	Energy & Facilities Manager	\$1,390.61	\$1,471.81	\$1,552.99	\$1,634.16	\$1,715.34	\$1,796.53	\$1,877.76
	Information Systems Manager	\$1,390.61	\$1,471.81	\$1,552.99	\$1,634.16	\$1,715.34	\$1,796.53	\$1,877.76
	Police Lieutenant	\$1,390.61	\$1,471.81	\$1,552.99	\$1,634.16	\$1,715.34	\$1,796.53	\$1,877.76
	Solid Waste Manager	\$1,390.61	\$1,471.81	\$1,552.99	\$1,634.16	\$1,715.34	\$1,796.53	\$1,877.76
13	Maintenance Manager	\$1,418.67	\$1,501.43	\$1,584.18	\$1,666.94	\$1,749.67	\$1,832.43	\$1,915.18
14	Police Captain	\$1,447.41	\$1,531.84	\$1,616.24	\$1,700.65	\$1,785.07	\$1,869.50	\$1,953.94

Seconded by Councilor Prentiss.

Roll Call Vote:

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

None voted Nay.

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

B. TAX EXEMPTION ELECTRIC ENERGY STORAGE SYSTEMS

Public Hearing for the purpose of receiving public input and taking action to adopt the provisions of NH RSA 72:85, Exemption for Electric Energy Storage Systems.

Included in the agenda packet was the April 3, 2020 Memo from Rick Vincent, Chief Assessor; re: Solar Energy Systems Exemption

Mr. Rick Vincent came forth representing the Tax Exemption for electric energy storage systems and presented a brief background.

City Manager Mulholland requested the Assessing Office review existing Solar Energy Systems Exemption to see if the City was in-line with the current provisions of RSA 72:61 (as amended), RSA 72:85 and House Bill 464. During the review, it was discovered that the definition of a solar energy system as defined in RSA 72:61 did not include energy storage systems as an exempted component of a solar energy system at the time the City Council adopted the Solar System Exemption in 2013. House Bill 464 changed the definition of solar energy systems for purposes of determining assessed value for real estate taxes, as well as enables municipalities to adopt an exemption as provided in RSA 72:85 in an amount equal to any increase in incremental assessed value of the entire property attributable to the qualifying electrical energy storage system.

Mayor McNamara informed the Council and public that in short, these are batteries installed to utilize and store electricity during off-peak hours in their homes.

Assistant Mayor Below presented a screen presentation showing the battery energy storage systems, noting they are more than just a batteries, but are a means of storing electrical energy (i.e., thermal, electrical, chemical, mechanical) for use at a later time and can be used to reduce peak loads to compensate for variability in renewable energy production. Part of the concern about solar and battery storage is they are capital intensive ways of dealing with electricity. He also spoke about the property tax burden per kwh; how the limitation to any kind of a storage system's frequency could make these systems uneconomical; and, Liberty Union's Battery Pilot. By the City going ahead and adopting the option to exempt local taxes this will help make storage more viable; will play an important part in the transition to a more sustainable future; and can help to shift electrical loads to off peak hours so we do not have to build more capacity to support the City's few hours of peak capacity.

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

ACTION:

Councilor Bronner MOVED that:

IT HEREBY RESOLVED, that the City of Lebanon hereby adopts the provisions of NH RSA 72:85, Exemption for Electric Energy Storage Systems in an amount equal to any increase in incremental assessed value of the entire property attributable to the qualifying electrical energy storage system.

BE IT FURTHER RESOLVED, that the City of Lebanon hereby re-adopts the provisions of NH RSA 72:62 (Exemptions for Solar Energy Systems, as defined in RSA 72:61) which expands the definition of Solar Energy Systems to those which utilize solar energy to produce electricity for a building and includes all photovoltaics, inverters, and storage; and exempts these components from the assessed value of property for property tax purposes. This resolution shall be retroactive to April 1, 2020 and take effect on that date.

Seconded by Councilor Hill.

Councilor Sykes recused himself from this vote due to a potential conflict of interest.

Roll Call Vote:

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

None voted Nay.

Councilor Sykes was recused.

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

Councilor Sykes resumed his regular role on the City Council.

8. OLD BUSINESS: None

9. NEW BUSINESS

A. Request for Street Name Change: "Beechwood Lane" & "Pine Tree Lane" To "Village Lane"

Included in the agenda packet was the April 22, 2020 email from Kristine McDevitt, Project Manager, Twin Pines Housing

Mr. Mulholland came before the Council representing the street name changes above and clarified that these were not City roads, they were private roads owned by Twin Pines Housing.

In 2015, Twin Pines Housing purchased the property of Village at Crafts Hill, which currently consists of six buildings and 100 apartments. Per USDA Rural Development funds awarded to Twin Pines Housing, these buildings and apartments need to be treated as one property. Two private roads serve the complex: "Pine Tree Lane" on one side, and "Beechwood Lane" on the other.

Kristine McDevitt, Twin Pines Housing Project Manager, in an April 22, 2020 email to City Manager Shaun Mulholland, requests Lebanon City Council approve renaming the roads through Village of Crafts Hill from "Pine Tree Lane" and "Beechwood Lane" to "Village Lane", causing less confusion for first responders and establishing clearer E-911 addressing.

In accordance with NH RSA 231:133, Street Names and Markers, the governing body has the responsibility of naming and renaming streets.

ACTION:

Councilor Bronner MOVED, that the Lebanon City Council hereby renames "Pine Tree Lane" and "Beechwood Lane" to "Village Lane".

Seconded by Councilor Winny.

Roll Call Vote:

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

None voted Nay.

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

B. Presentation of First Reading and Set Public Hearing for June 3, 2020: Amendment To Ordinance No. 18, Salary Plan, Article II, Non-Affiliated Employees, To Include the Positions of Technical Advisor I & II, And General Intern I & II

Due to connectivity issues for Ms. Gloria Leskiewicz, Mr. Mulholland came before the Council and spoke about the proposed changes to Amendment Ordinance #18.

Councilor Sykes requested more detailed job descriptions before the final vote. Mr. Mulholland explained the job descriptions for these positions are general in nature so they can be used by any department throughout the City, but will forward them along to the Council for their review before the final vote.

1. ACKNOWLEDGE FIRST PRESENTATION:

***Councilor Hill MOVED*, that the Lebanon City Council acknowledges the first of three presentations to amend Ordinance No. 18, Salary Plan, Article II, by adding the positions of Technical Advisor I (Grade 11), Technical Advisor II (Grade 16), General Intern II (Grade 1), and the seasonal/temporary position of General Intern I to the Non-Affiliated Compensation and Classification schedules as show on the table in the Lebanon City Council agenda packet of May 6, 2020.**

Changes to the compensation and classification schedules is shown in red italics type.

REGULAR FULL-TIME/REGULAR PART-TIME NON-AFFILIATED EMPLOYEES – 2020 SALARY GRADES 1.6% GWI					
Grade	Position Title	Hourly		Weekly	
		Minimum	Maximum	Minimum	Maximum
1	<i>General Intern II</i>	<i>\$16.52</i>	<i>\$22.31</i>	-	-
2	Custodian	\$17.52	\$23.64	-	-
	Department Secretary	-	-	-	-
3	Airport Maintenance Worker	\$18.56	\$25.06	-	-
	Custodian I	-	-	-	-
4	Library Assistant	\$19.68	\$26.57	-	-
5		\$20.86	28.15	-	-
6		\$22.11	\$29.84	-	-
7	Administrative Secretary	\$23.43	\$31.64	-	-
	Assessing Clerk	-	-	-	-
	Assistant City Clerk	-	-	-	-
	Assistant Human Services Director	-	-	-	-
	Communications Specialist	-	-	-	-
	Library Administrative/Technical Assistant	-	-	-	-
8	Administrative Assistant	\$24.84	\$33.54	-	-
	Benefits Coordinator/Payroll Specialist	-	-	-	-
	Deputy City Clerk	-	-	-	-
	Deputy Tax Collector	-	-	-	-
	Young Adult Librarian	-	-	\$993.65	\$1,341.53
	Outreach Librarian	-	-	-	-
9	Executive Assistant	\$27.32	\$36.88	-	-
	Digital Media Officer	-	-	-	-
	Information Technology Technical Specialist	-	-	-	-
	Systems Librarian	-	-	\$1,092.81	\$1,475.23
	Information Technology Librarian	-	-	-	-
	Children’s Librarian	-	-	-	-
10	Financial Analyst	30.05	\$40.57	-	-

	Tax Collector	-	-	-	-
	Human Services Director	-	-	\$1202.11	\$1,622.84
11	<i>Technical Advisor I</i>	\$33.09	\$44.67		
	Deputy Library Director	-	-	\$1,323.45	\$1,786.70
12	City Clerk	-	-	\$1,402.68	\$1,893.45
	Deputy Finance Director	-	-	-	-
	Prosecuting Attorney	-	-	-	-
13	Airport Manager	-	-	\$1,486.91	\$2,007.28
	Assistant Fire Chief	-	-	-	-
	Deputy Police Chief	-	-	-	-
	Human Resources Director	-	-	-	-
	Recreation Director	-	-	-	-
	Systems and Information Technology Administrator	-	-	-	-
14	Assistant Director/Public Works	-	-	\$1,576.13	\$2,127.78
	Chief Assessor	-	-	-	-
	Library Director	-	-	-	-
15	Information Technology Director	-	-	\$1,670.78	\$2,255.37
16	<i>Technical Advisor II</i>	\$44.27	\$59.76		
	Chief of Police	-	-	\$1,770.86	\$2,390.47
	Director of Planning and Zoning	-	-	-	-
	Director of Public Works	-	-	-	-
	Finance Director	-	-	-	-
	Fire Chief	-	-	-	-
	Deputy City Manager	-	-	-	-

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).

POSITION TITLE	HOURLY	
ELECTION POSITIONS (HOURLY)		
Ballot Clerk		\$10.00
Election Assistant		\$10.00
Supervisors of the Checklist		\$10.00
Moderator		\$12.50
Ward Clerk		\$12.50
PARK AND RECREATION POSITIONS		
Camp Counselors	\$10.00	\$12.00
Front Desk Attendants – Pool	\$10.00	\$12.00
Head Front Desk Attendants	\$11.00	\$13.50
Site Assistant	\$10.00	\$13.00
Lifeguards	\$10.00	\$12.00
Head/Lead Counselors	\$13.00	\$16.00

Site Assistant	\$10.00	\$13.00
Head & WSI Lifeguards	\$12.00	\$15.00
Head Front Desk Attendant - Pool	\$12.00	\$15.00
Outdoor Adventurer - Educator	\$12.50	\$16.00
Softball Coordinator	\$12.50	\$16.00
Camp Director	\$13.00	\$16.00
Day Camp Counselors	\$10.00	\$14.00
Arts & Craft Director	\$13.00	\$16.00
Farmers Market Coordinator	\$14.00	\$18.00
Market Assistant	\$12.00	\$15.00
Tennis Instructor	\$15.00	\$19.00
Stomp & Romp	\$15.00	\$19.00
Asst. Pool Director	\$15.00	\$19.00
Pool Director	\$16.00	\$20.00
LIBRARY POSITIONS		
Circulation Substitutes		\$13.21
Reference Librarian Substitutes		\$22.32
PUBLIC WORK POSITIONS		
Engineering Clerk	\$11.00	\$14.00
GIS Clerk - (or Intern)	\$15.00	\$17.00
Seasonal Laborers – Summer & Fall DPW, Parks & Rec. & Airport	\$16.00	\$19.00
CDL Seasonal Drivers	\$22.81	\$27.30
PLANNING POSITIONS		
Park Ranger	\$15.00	\$17.00
POLICE DEPARTMENT POSITIONS		
Crossing Guard		\$16.29
Police Administrative Aide	\$20.00	\$23.00
Parking Control Officer	\$20.00	\$23.00
Police Officers	\$26.46	\$31.91
CITY CLERK POSITIONS		
Assistant City Clerks (Part-Time/Temp. <20)	\$23.06	\$31.14
Recording Secretary	\$21.50	\$23.50
Recording Secretary Coordinator	\$22.00	\$24.00
SHARED POSITION		
<i>General Intern I</i>	<i>\$13.00</i>	<i>\$16.50</i>
STIPEND POSITIONS		
Sport Coaches – Seasonally (Lacrosse, Track, Youth – Basketball, Field Hockey, Football, Cheerleader Coach etc. – may vary due to Programs)	\$200	\$700
(Chair) Supervisors of the Check List	\$150	\$250
Supervisor of the Voter Checklist	\$150	\$250

2. SCHEDULE PUBLIC HEARING:

Councilor Hill MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, June 3, 2020, beginning at 7:00pm, Remote via Microsoft Teams, for the purpose of receiving public input and taking action to amend Ordinance No. 18, Salary Plan, Article II, Non-Affiliated Employees by adding the positions of Technical Advisor I, (Grade 11), Technical Advisor II (Grade 16), General Intern II (Grade I), and the seasonal/temporary position of General Intern I to the Non-Affiliated Compensation and Classification Schedules.
Seconded by Councilor Prentiss.

Roll Call Vote:

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

None voted Nay.

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

C. Creation of Task Force: Fair and Impartial Policing

Included in the agenda packet was the Task Force Request Form – Fair and Impartial Policing

Mayor McNamara read the following background information for the public's benefit:

On March 10, 2020, the voters of Lebanon passed a “Welcoming Lebanon” ordinance with the purpose and intent to establish the City’s procedures concerning immigration status and enforcement of federal civil immigration laws.

A legal review of the proposed ordinance provided concerns with some of the provisions, in that they can be construed as contrary to either Federal or State law.

During the review of the ordinance at the January 22, 2020 Public Hearing, there was discussion about the Council’s desire to work with members of the community to correct language within the ordinance that both preserves the intent and produces a lawfully compliant regulation. In order to achieve this, it is suggested that a task force be established that includes members of the Council, members of the Welcoming Lebanon Petition Committee, and members of the general public.

Mayor McNamara thought that over the many, many discussions held over the past few months the proposed Ordinance was somewhat generic and possibly had some real legal issues associated with it, particularly provision #6, which related to the reporting of Federal Immigration presence within the City. As a result of these discussions, it made sense for him to appoint a Task Force comprised of City residents, City Councilors, and representatives from the Petitioners (all of whom would be residents of the City of Lebanon) to discuss issues regarding the tracking of data on ethnicity, race and other factors, which are important to the City’s current Fair and Impartial Policing Policy. He hoped the Task Force would be able to come up with some consensus on recommendations that could then be presented to the Council in late September or early October. He asked the Council to approve the formation of this Task Force, and the following individuals listed below, noting he has had a number of discussions over the last 2-3 weeks with representatives of the Petitioners regarding whom they would like to participate on this Task Force.

Mayor McNamara would like to appoint the following The Task Force members as follows:

- Two (2) City Councilors: Councilors Liot Hill and Prentiss. He is asking Councilor Liot to Chair the Task Force and Councilor Prentiss to be the Vice Chair.
- Two (2) Petitioners: They have selected Kathleen Beckett and Devin Wilkie.
- Three (3) Residents: Mayor McNamara appointed Keiselim (Keysi) Montas, Barry Schuster, Esq., and Reverend Diane Root.

Councilor Below asked if the purpose of this Task Force would be to propose amendments to make the Ordinance compliant with Federal and State Laws Rules and Regulations. He felt there was a need to

have more clarity in this regard, specifically the provisions where it says “All City Employees and Officials should not ask about anybody’s citizenship status.” He pointed out that New Hampshire Law requires people who are registering to vote to attest they are US Citizens, and furthermore, if it is a same-day registration the law seems to provide that election officials ask for documents indicating a person’s citizenship status. He spoke about the process where someone can challenge a voter registration by filing a document stating their reason(s) for doing so (i.e., a person is not a resident/US citizen). The reason he brought this up was because the City’s attorney and City Clerk felt the way the Ordinance was written, people were not technically in violation of State Law. He, however, felt it would be better to have more clarity on this issue, noting the intent is to not let City Election Officials violate the State Election Laws. We seem to have common ground on the intent, and a willingness by all parties, to be clear about the intent, but felt the Task Force’s goals should be to make the Ordinance legally compliant, have clarity about its the intent, and clarity about what City Officials, whether elected or employees, should do.

Mayor McNamara hoped these were the sort of questions that would come out in the context of the Task Force discussions, and that all those issues would be vetted, discussed and resolved in the context of the Ordinance.

Councilor Liot Hill thanked Mayor McNamara for bringing this forward and for his thoughtful approach in putting together a Task Force. She felt there was good faith on the part on of the Petitioners and members of the public to try and address some of the areas that might need clarity, to address areas where there may be unintended consequences, and to make sure the Ordinance was enforceable at the time it becomes active in January 2021. She also spoke about the name of the Task Force, noting that while policing is one of the major issues it is not the only issue of the Welcoming Lebanon Ordinance. She believes the Mayor would allow the Task Force to interpret this definition more broadly.

Mayor McNamara said it was certainly not his intent to restrict the Task Force only to the Police Department because there are certainly parts of the Resolution that apply to other organizations, both inside and outside of City Government. He named the Task Force, not for the reason of Fair and Impartial Policing, but because this was what other cities/towns have called their initiatives. This is a very public and transparent process and is a very significant issue for the City at large, noting the Ordinance passed by a majority vote; there are strong feelings on both sides; and it is incumbent upon the citizens of the City of Lebanon to work together to make this happen in a way that works for the City, is legal, and can be effectively implemented.

While this was not a Public Hearing, Mayor McNamara entertained questions from the public.

Mr. Al Patterson (Ward 3) came before the Council via telephone and spoke about his concerns and explained his reasons for the following: 1) The Ordinance Item #6 regarding notifications; 2) how the criteria for Task Force was developed, noting he does see any diversity and felt the Task Force seemed stacked; and 3) how it is important to be fair and equal to everybody, He explained his reason for all of the above.

Mayor McNamara respectfully disagreed with Mr. Patterson’s reasoning noting he has worked hard to balance the Task Force and did not try to weigh it on one side or the other. The Task Force represents gender diversity, ethnic diversity, and most importantly the Task Force will be able to have a balanced view. This is a very public process and anyone who wants to participate in a meeting are more than welcome to participate as members of the public.

No one else from the public came forth.

ACTION:

Councilor Bronner MOVED, that the Lebanon City Council hereby establishes, “Fair and Impartial Policing Task Force” a task force created to study and propose amendments to the Welcoming Lebanon Ordinance as approved by the voters on March 10, 2020. Members of the Task Force will be appointed by the Mayor and will be comprised of the following: (2) City Councilors (2) Members of the “Welcoming Lebanon” Petition Committee who are also Lebanon Residents, and (3) Members of the General Public. Seconded by Councilor Heistad.

Roll Call Vote:

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

None voted Nay.

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

Mayor McNamara formally recognized his appointed Task Force membership:

- City Council representatives: Councilor Liot Hill (Chair) and Councilor Prentiss (Vice Chair).
- Members of the Welcoming Lebanon Petition Committee: Kathleen Beckett and Devin Wilkie.
- General Public members: Keiselim (Keysi) Montas, Attorney Barry Schuster, and Diane Root.

He requested Councilor Hill to start the Task Force meetings as soon as possible, noting these will need to virtual for a while. The City Attorney will be available as a technical representative.

D. Discussion & Set Public Hearing for May 20, 2020: Ordinance #2020-06 To Amend City Code Chapter 136, Sewer Service, Article X, Collection and Abatement, Section 136-80, Abatement

Included in the agenda packet was the Proposed Ordinance #2020-06

Mr. Mulholland came before the Council and explained that under the current Ordinance, he does not have that ability to enter into any agreements for the abatement of sewer use fees and assessments so the Council is being asked to consider an amendment to City Code Chapter 136, Sewer Service, Article X, Collection and Abatement by amending Section 136-80, Abatement.

In reviewing the terms for abatement of sewer use fees and assessments, it was noted that there is no provision in Chapter 136 for the City Manager to permit installment payments for sewer users. There are such provisions in Chapter 182 for water users. The language proposed in Ordinance #2020-06 to amend Chapter 136 is similar to that contained in Chapter 182, Water Service.

Assistant Mayor Below MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, May 20, 2020, beginning at 7:00pm, Remote via Microsoft Teams, for the purpose of receiving public input and taking action on proposed Ordinance #2020-06, to amend the Code of the City of Lebanon, Chapter 136, Sewer Service, Article X, Collection and Abatement, Section 136-80, Abatement. Seconded by Councilor Bronner.

Roll Call Vote:

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

None voted Nay.

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

E. Discussion & Set Public Hearing for June 3, 2020: Ordinance #2020-07 to Repeal and Replace City Code Chapter 124, Public Stormwater System

Included in the agenda packet were the Proposed Ordinance #2020-07 2 and City Code Chapter 124, Use of Public Stormwater System.

Mr. Mulholland came before the Council representing the above request.

Regulations regarding discharges to the City’s Stormwater Drainage System have been in place since 2014. The purpose of the existing regulations is to control and prohibit illicit connections and discharges into the storm drain system in order to comply with the requirement of the National Pollutant Discharge Elimination System permit process, in conformity with the City’s Illicit Discharge Detection and Elimination Plan (November 2011). Action to adopt Ordinance #2020-07 will effectuate a permitting system for connections to and extension/expansion of the existing stormwater system.

Councilor Sykes MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, June 3, 2020, beginning at 7:00pm, Remote via Microsoft Teams, for the purpose of receiving public input and taking action on proposed Ordinance #2020-07, to repeal and replace City Code Chapter 124, Use of Public Stormwater System.

Seconded by Councilor Prentiss.

Roll Call Vote:

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

None voted Nay.

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

F. Discussion & Set Public Hearing for June 3, 2020: Ordinance #2020-08 to Amend City Code, Chapter 68, Fees, Article III, Miscellaneous Fees, Section 68-15, Enumeration of Fees

Included in the agenda packet was the Proposed Ordinance #2020-08.

Mr. Mulholland came before the Council representing the above request.

The amendments to City Code Chapter 124, proposed by Ordinance #2020-07, implements a Stormwater Use Permit and Application Fee. Changes to City Code Chapter 68, as proposed by Ordinance #2020-08 are required to implement the fee associated with the permit

Councilor Winny MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, June 3, 2020, beginning at 7:00pm, Remote via Microsoft Teams, for the purpose of receiving public input and taking action on proposed Ordinance #2020-08, to amend the Code of the City of Lebanon, Chapter 68, Fees, Article III, Miscellaneous Fees, to implement a “Stormwater Permit Application Fee.”

Seconded by Councilor Prentiss.

Roll Call Vote:

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

None voted Nay.

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

G. Presentation of Solid Waste Business Plan (pages 101-178 in agenda packet)

Included in the agenda packet were the extensive April 2020 Lebanon Solid Waste Facility Business Plan Amendment Study prepared by Weston & Sampson and the May 6, 2020 PowerPoint Presentation – City of Lebanon Solid Waste and Recycling Business Plan Update

Mr. Marc Morgan (Solid Waste Manager) and Mr. Mike Richard (Weston & Sampson consultant) came before the Council remotely to give an update to the Solid Waste Business Plan and provide future projections for the life of the landfill facility.

Mr. Morgan explained how the current COVID-19 Pandemic situation has been impacting the Lebanon Solid Waste Division. The facility has not changed, but the operation is different. Some Staff are wearing masks and maintain the six (6) foot social distancing guidelines; signs have been put up; changes to the scale house have been made regarding customer tickets and signatures; punch cards are just witnessed now; and changes have been made at the Recycling Center to maintain distancing requirements; Residential traffic is up by 20%; ticket sales for the first quarter of 2020 have doubled; solid waste tonnage overall is down 10%; recycling markets are all over the place. Staff is also very prepared and have adequate PPE, hand sanitizer, and contingency plans are in place in the event of an illness, noting that so far staff remains healthy and are able to deal with situations as they come up.

Mr. Richard presented the Introduction and reviewed the Objective of Lebanon’s Solid Waste Management Business Plan, which is to increase the longevity of the landfill through operational and site changes; and provide additional recommendations not directly related to longevity of the landfill.

Mr. Morgan and Mr. Richards presented an extensive review of the Landfill capacity; the timeline for reaching maximum capacity, noting that the 2011 Business Plan took the City out to 2090 and the 2020 Business Plan take the City out another 17-18 years; and Operation Findings that included fee structures, daily cover, alternative daily cover techniques, equipment and equipment recommendations; site layout and recommendations; additional recommendations/conclusions; and their final conclusions.

Assistant Mayor Below noted there was no mention of the Landfill Gas-to-Energy Project, and presumed the site for this, as presently contemplated, does not have any negative consequences for the needs of a Solid Waste Facility. Mr. Morgan said it does not..

In response to Assistant Mayor Below’s question regarding the wash bay, Mr. Morgan said they were in the process of evaluating further equipment options because not all of their equipment is able to be placed inside a bay.

Mayor McNamara spoke about the impacts of zero sort and the potential unintended consequences for curbside collections. Mr. Morgan agreed with the Mayor noting that their evaluation of curbside collection of trash and recycling will be discussed with the Council and will include public participation.

Mr. Morgan praised the Solid Waste Staff. They come in every day and are on the frontline by managing waste from DHMC as well as other frontline facilities and are servicing more customers than ever. The

operation has changed considerably over the years due to regulations, customer requests and managing capacity as well as equipment. It is critical, as we ask out staff to do more and more tasks, that they have the right tools. He considers equipment replacements very serious.

Kudos were given to Mr. Morgan and his staff by City Councilors for the wonderful work they were doing.

Mr. Morgan wanted to put on the Council's radar that they are evaluating the purchasing of the adjacent property to the Landfill and explained they were looking at this property to move some of their structures (year 80 out), which would free up more space in the Landfill and benefit future Lebanon residents.

ACTION: No Council action is required; item was for discussion purposes only.

10. REPORTS

A. City Manager:

Mr. Mulholland gave the following updates:

- Main Street Property: filing court paperwork.
- Cares Act Funds: The amount received to date and how funds will be disbursed.
- Internet Service: The City does not have the authority to regulate internet service, only cable TV can do this. He is working on a plan with Comcast to address this issue.
- Salt Hill and Sweet Tomatoes restaurants: Working on outside seating arrangements so they can open their doors and provide proper distancing requirements. This will require the Council to authorize the extension of those expanded areas to serve alcohol and will be on the City Council's Work Session agenda for May 13, 2020.
- Pilot electronic permit process for the Landfill.

The Council discussed: How other restaurants in Lebanon could open up; sweeping by DPW (Ped/Bike appreciated this) and analyzing and making recommendations on the residential Sprinkler System Ordinance.

B. Council Representatives to other bodies: None.

11. FUTURE AGENDA ITEMS: None

12. NON-PUBLIC SESSION: None

13. ADJOURNMENT:

Councilor Bronner MOVED for adjournment.

Seconded by Councilor Heistad.

Roll Call Vote:

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

None voted Nay.

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

The meeting was adjourned at 9:24 p.m.

Respectfully submitted,

Dona E. Gibson, Recording Secretary