

FINAL

**CITY OF LEBANON
CITY COUNCIL
Minutes, Regular Session, June 5, 2019
City Hall – Council Chambers
7:00 p.m.**

MEMBERS PRESENT: Mayor Tim McNamara, Assistant Mayor Clifton Below, Bruce Bronner, Erling Heistad, Suzanne Prentiss, Shane Smith, Jim Winny, Karen Zook

MEMBERS ABSENT: Karen Liot Hill

STAFF PRESENT: City Manager Shaun Mulholland, Deputy City Manager Paula Maville, City Clerk Sandra Allard, Planning & Zoning Director David Brooks, HR Director Gloria Leskiewicz

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

1. PLEDGE OF ALLEGIANCE:

Councilor Prentiss led the Council in the Pledge.

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

Mr. Brooks announced a Heritage Commission Special Event for Dana House on June 12, 2019. The event will start with a tour of Dana House (4:30-5:30 pm) and then move to the Kilton Library for a discussion and history of the Maple Street neighborhood (6:00-7:00pm), followed by a discussion with Heritage Commission members about their plans for the Dana House restoration (7:00-8:00 pm).

3. OPEN TO PUBLIC: No comments were put forth from the public.

4. RESOLUTIONS: Assistant Mayor Below read the Resolution Honoring Kenneth Warren who has retired from the Pedestrian and Bicyclist Advisory Committee after serving for 20 years. He presented Mr. Warren with a framed copy of the Resolution.

5. ACCEPTANCE OF MINUTES:

- May 8, 2019 (Work Session)

Councilor Prentiss MOVED to approve the May 8, 2019 (Work Session) Minutes as written and presented in the June 5, 2019 agenda packet.

Seconded by Councilor Smith.

**The vote on the MOTION passed unanimously (8-0).*

- May 15, 2019 (Regular Session)

Councilor Prentiss MOVED to approve the May 15, 2019 (Regular Session) Minutes as written and presented in the June 5, 2019 agenda packet.

Seconded by Councilor Winny.

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

6. APPOINTMENTS:

- Heritage Commission:

Councilor Zook nominated Mimi Hains as an alternate member of the Heritage Commission for a three-year term (6/19-6/22).

****The Vote on the nomination was unanimous in favor (8-0)***

- Lebanon Energy Advisory Committee:

Councilor Winny nominated Jonathan Chaffee for reappointment as a regular member of the LEAC. Two-year term (6/19-6/21).

****The Vote on the nomination was unanimous in favor (8-0).***

7. PUBLIC HEARING ITEMS (NONE)

8. OLD BUSINESS

A. Proposed Amendments to Chapter A191, City Council Rules. Action on Proposed Amendments to Chapter A191, City Council Rules, as presented and discussed at the May 15, 2019 City Council Meeting.

ACTION:

Councilor Bronner MOVED, that the Lebanon City Council hereby amends the Council Rules to include amendments to Sections 191-1, 191-5, 191-8, and 191-15, as presented on May 15, 2019.

Seconded by Councilor Prentiss.

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

Mayor McNamara said the budget for Westboro Yard is currently in the Senate Budget and some additional funds have been added to deal with the contingencies that were not reflected in either the Governor's budget or the House budget. More information is expected within the next few weeks, with work likely to begin in 2020.

9. NEW BUSINESS

A. Discussion With New Hampshire Department of Transportation: Traffic Control Plan For I-89 Bridge Project #16148 (West Lebanon To White River Junction).

Robert Landry, NHDOT Bridge Design Project Manager, Gene McCarthy, Design Team Project Manager, and Chris Baker, representing VTrans interest in the project, came before the Council to present the I-89 bridge construction between West Lebanon and White River Junction, which is slated to begin in January 2020. (A detailed description of the project, including diagrams, can be found in the agenda packet for this meeting.)

Mr. Landry addressed the need for the project and funding, noting that both the southbound and northbound sides of the I-89 bridge are on the State's Red List and considered structurally deficient based on the bridges deteriorated superstructure and decks.

Mr. McCarthy presented the proposed improvements which include replacing the existing decks, adding all new structural steel, widening of the median, adding (permanent) auxiliary lanes (between Exit 19 - VT side and Exit 20 - NH side) on I-89, and widening the shoulder width. He also reviewed the proposed

project limits, traffic control strategies, bridge closures and detours, lane reductions/road phasing shifts, and signage plans. The projected schedule is as follows:

- Project Advertising – August 2019: Bids go out to contractors.
- Begin Construction – January 2020:
 - Construct Temporary River Trestle that will allow for the construction of piers/girders. Most of the work will be done at the river level.
- Phase 1: January 2020 to August 2021 (overnight only).
- Phase 2: September 2021 to August 2022.
- Phase 3: September 2022 to August 2023.
- Remove Trestle.
- Final Paving and Striping – Summer 2024.

Mr. McCarthy said the NHDOT has gone through a lengthy process with the NH State Department of Environmental Services (NHDES) to protect the integrity of the Connecticut River and there is a permit process underway now that will outline all the protections put in place for the river.

An outreach person will be working with local business owners as the project moves forward.

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

B. Acceptance of Relocation of Sunset Rock Road.

In 2005-2006, the City constructed improvements to the Sunset Rock Road/Hardy Hill Road Intersection which resulted in the relocation of boundary lines between the City’s rights-of-way and properties owned by Neal Mahutte & Sophia Ouhilal (Tax Map 52, Lot 12) and Arlene E. MacLeod (Tax Map 80, Lot 20). The newly relocated portions of the intersection were not presented to the Council for formal acceptance at that time, so the Council is now requested to formally accept this change.

ACTION:

Councilor Winny MOVED, that the Lebanon City Council hereby accepts – under the New Hampshire Law of Dedication and Acceptance – the relocation of Sunset Rock Road (already constructed) as depicted in a survey, to be recorded, entitled “Public Highway Relocation Plan for Neal G. Mahutte & Sophia G. Ouhilal, Arlene E. MacLeod, and City of Lebanon, prepared by Pathways Consulting, LLC, dated June 24, 2016, last revised June 21, 2018, Project No. 11292-01; specifically by accepting the area labeled as “Parcel ‘B’” on said plan as a part of the City highway known as Sunset Rock Road; and further, to completely discontinue as a part of said public highway the areas labeled as Parcels ‘A,’ ‘C’ and ‘D’ on said plan, such discontinuance to take effect only upon the recording of the dedication and acceptance in the Grafton County Registry of Deeds; and further to authorize the City Manager to accept and execute such documents as may be necessary to implement the said relocation, and to cause such documents, as well as the said survey plan, to be recorded in the Grafton County Registry of Deeds.”

Seconded by Councilor Heistad.

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

C. Request from City Code Chapter 110, Noise from Sound Amplification: Martin, 8 Pleasant Street, West Lebanon

Charles and Valerie Martin of 8 Pleasant Street, West Lebanon came before the Council requesting an extension to allow the amplification equipment to be utilized until 10:00pm on Saturday, August 31,

2019. The previously permitted time frame for a Sound Permit from the Lebanon Police Department was 2:00pm – 8:00pm. The Martins presented a written letter (for the record) that has been presented to all neighbors, not only asking for their comments and letting them know what they would be doing, but inviting them to this event. This will be Mr. & Mrs. Martin’s 25th Wedding Anniversary, hence the requested increase in time.

ACTION:

Councilor Prentiss MOVED, that the Lebanon City Council, in accordance with City Code Chapter 110, Noise from Sound Amplification System, §110-2, hereby authorize Charles and Valerie Martin of 8 Pleasant Street, West Lebanon, to utilize amplification equipment until 10:00pm on Saturday, August 31, 2019, provided that the area neighbors are notified in advance.

Seconded by Councilor Winny.

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

D. Hanover Street Property (Tax Map 49, Lot 19): Authorization for City Manager to enter into a Purchase and Sales Agreement for the sale of City-owned property identified as Tax Map 49, Lot 19, Hanover Street, Lebanon.

The City Manager has been contacted by abutting property owners regarding the purchase of this parcel. In accordance with CC-102, Section A.4 and is requesting authorization to sell the property to abutting owners for \$2,500.

ACTION:

Councilor Bronner MOVED, that in accordance with Council Policy CC-102, City Real Property Transactions, Section A.4, the Lebanon City Council hereby authorizes the City Manager to prepare and execute documents for the sale of property identified as City Tax Map 49, Lot 19, located at Hanover Street, Lebanon, to abutting property owners in the amount of \$2,500.

Seconded by Councilor Prentiss.

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

E. Ordinance #18 (LPASE to Non-Affiliated): Presentation of First Reading & Set Public Hearing for July 10, 2019: Amendment to Ordinance #18, Salary Plan to move the positions of Children's Librarian (Grade 9), Young Adult Librarian (Grade 8), and Systems Librarian (Grade 9) from the LPASE Bargaining Unit to the Non-Affiliated Employee Unit, Grades 8, 8 and 9, respectively.

Human Resources Director Gloria Leskiewicz presented the proposed changes to amendments between the City of Lebanon and the Lebanon Professional, Administrative, Salaried Employees Bargaining Unit (LPASE), to remove four (4) Library positions from LPASE. To effectuate this change, the City Council is asked to amend Ordinance No. 18, Salary Plan.

ACTION:

(1) PRESENTATION:

Councilor Bronner MOVED, that the Lebanon City Council acknowledges the first of three presentations to amend Ordinance No. 18, Salary Plan as follows:

1. Amend Article III, Bargaining Unit Employees, Lebanon Professional, Administrative, Salaried Employees (LPASE) by removing the full-time positions of Branch Librarian Coordinator (Grade 6), Children’s Librarian (Grade 9), Systems Librarian (Grade 9), and Young Adult Librarian (Grade 8).
2. Amend Article II, Non-Affiliated Unit Employees by adding the full-time positions of Children’s Librarian (Grade 8), Young Adult Librarian (Grade 8), and Systems Librarian (Grade 9). *(The Branch Librarian Coordinator position is not included as it is a defunct position which hasn’t been filled for several years.)*

LEBANON PROFESSIONAL, ADMINISTRATIVE, SALARIED EMPLOYEES (LPASE)

APPENDIX B - LPASE - 2019 Salary Grade		Minimum					Maximum	
Grade Position Title		Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7
		\$24.20	\$25.21	\$26.22	\$27.23	\$28.25	\$29.22	\$30.24
	6-Branch Librarian Coordinator							
7	Field Inspector	\$25.18	\$26.22	\$27.26	\$28.31	\$29.34	\$30.38	\$31.47
8	Code/Health Inspector	\$25.68	\$26.75	\$27.80	\$28.87	\$29.94	\$31.00	\$32.11
	Real Estate Appraiser II	\$25.68	\$26.75	\$27.80	\$28.87	\$29.94	\$31.00	\$32.11
	Associate Planner	\$1,027.37	\$1,070.00	\$1,112.33	\$1,154.80	\$1,197.60	\$1,240.00	\$1,284.40
	Young Adult Librarian	\$1,027.37	\$1,070.00	\$1,112.33	\$1,154.80	\$1,197.60	\$1,240.00	\$1,284.40
9	Communication Supervisor	\$27.73	\$29.35	\$30.96	\$32.59	\$34.21	\$35.82	\$37.45
	Cemetery Sexton	\$27.73	\$29.35	\$30.96	\$32.59	\$34.21	\$35.82	\$37.45
	Fleet Maintenance Superintendent	\$27.73	\$29.35	\$30.96	\$32.59	\$34.21	\$35.82	\$37.45
	Maintenance Superintendent	\$27.73	\$29.35	\$30.96	\$32.59	\$34.21	\$35.82	\$37.45
	Children’s Librarian	\$1,109.32	\$1,174.11	\$1,238.48	\$1,303.60	\$1,368.40	\$1,432.80	\$1,498.00
	Recreation Program Coordinator	\$1,109.32	\$1,174.11	\$1,238.48	\$1,303.60	\$1,368.40	\$1,432.80	\$1,498.00
	Systems Librarian	\$1,109.32	\$1,174.11	\$1,238.48	\$1,303.60	\$1,368.40	\$1,432.80	\$1,498.00
10	Utilities Maintenance Superintendent	\$30.52	\$32.29	\$34.06	\$35.85	\$37.61	\$39.39	\$41.17
	Wastewater Treatment Superintendent	\$30.52	\$32.29	\$34.06	\$35.85	\$37.61	\$39.39	\$41.17
	Water Treatment Superintendent	\$30.52	\$32.29	\$34.06	\$35.85	\$37.61	\$39.39	\$41.17
	Administrative Services Manager	\$1,220.45	\$1,291.42	\$1,362.40	\$1,433.37	\$1,504.35	\$1,575.34	\$1,646.96
	Airport Operations Supervisor	\$1,220.45	\$1,291.42	\$1,362.40	\$1,433.37	\$1,504.35	\$1,575.34	\$1,646.96

Seconded by Councilor Winny.

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

(2) SCHEDULE PUBLIC HEARING:

Councilor Bronner **MOVED**, that the Lebanon City Council schedules a public hearing for July 10, 2019, beginning at 7:00pm, City Council Chambers, City Hall, for the purpose of receiving public input and taking action to adopt proposed amendments to Ordinance No. 18, Salary Plan, as follows:

1. Amend Article III, Bargaining Unit Employees, Lebanon Professional, Administrative, Salaried Employees (LPASE) by removing the full-time positions of Branch Librarian Coordinator (Grade 6), Children’s Librarian (Grade 9), Systems Librarian (Grade 9), and Young Adult Librarian (Grade 8).
2. Amend Article II, Non-Affiliated Unit Employees by adding the full-time positions of Children’s Librarian (Grade 8), Young Adult Librarian (Grade 8), and Systems Librarian (Grade 9). *(The Branch Librarian Coordinator position is not included as it is a defunct position which hasn’t been filled for several years.)*

NON-AFFILIATED EMPLOYEES

Non-Affiliated Employees 2019					
Grade	Position Title	Hourly		Weekly	
		Minimum	Maximum	Minimum	Maximum
1	-	\$16.26	\$21.96	-	-
2	Custodian	\$17.24	\$23.27	-	-
	Department Secretary	-	-	-	-
3	Airport Maintenance Worker	\$18.27	\$24.67	-	-
	Custodian I	-	-	-	-
4	Library Assistant	\$19.37	\$26.15	-	-
5	-	\$20.53	\$27.71	-	-
6	-	\$21.76	\$29.37	-	-
7	Administrative Secretary	\$23.06	\$31.14	-	-
	Assessing Clerk	-	-	-	-
	Assistant City Clerk	-	-	-	-
	Assistant Human Services Director	-	-	-	-
	Communications Specialist	-	-	-	-
	Library Administrative/Technical Assistant	-	-	-	-
8	Administrative Assistant	\$24.45	\$33.01	-	-
	Benefits Coordinator/Payroll Specialist	-	-	-	-
	Deputy City Clerk	-	-	-	-
	Deputy Tax Collector	-	-	-	-
	Children's Librarian	-	-	-	-
	Young Adult Librarian	-	-	\$978.00	\$1,320.40
9	Executive Assistant	\$26.89	\$36.30	-	-
	Information Technology Librarian	-	-	-	-
	Systems Librarian	-	-	\$1,075.60	\$1,452.00
10	Financial Analyst	\$29.58	\$39.93	\$1,183.18	\$1,597.28
	Human Services Director	-	-	-	-
	Tax Collector	-	-	-	-

Seconded by Councilor Winny.

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

F. Ordinance #2018-07: Discussion & Set Public Hearing for July 10, 2019: Ordinance #2019-07 to amend City Code Chapter 31, Boards, Committees & Commissions to establish an Economic Development Commission.

Mr. Mulholland gave a brief history of the Economic Vitality Exchange Commission (EVEC). This new proposal being put forth is to create a formal Economic Development Commission (EDC) who will be responsible for making recommendations to staff and the Council regarding the overall economic development of the City. The EDC membership will not be appointed by the City Manager or the Executive Director of the Chamber of Commerce, but by the City Council, and the City Council will appoint the Chairperson.

Mayor McNamara said there will nine (9) voting members and will include two City Councilors, in addition to seven (7) citizen representatives.

The Council thanked the EVEC for all the work they have done and noted the creation of and Economic Development Commission is the most logical step moving forward.

ACTION:

Councilor Prentiss MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, July 10, 2019, beginning at 7:00pm in Council Chambers, City Hall, for the purpose of receiving public input and taking action on proposed Ordinance #2019-07, to amend the City of Lebanon Code, Chapter 31, Boards, Committees & Commissions, to establish an Economic Development Commission. Seconded by Bronner.

The Council acknowledged the need to formalize an Economic Development Commission. Once the Economic Development Commission is established, Mr. Mulholland will come back to the Council to dissolve the Economic Vitality Exchange Commission (EVEC)

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

G. Warrant for Civil Forfeiture Notice

Ms. Sandra Allard explained the process and the need for Council signatures on the warrant, noting that sometimes Court action is needed for unlicensed dogs in the event the dog license is disposed of in the district court system. The warrant was passed around for all Councilors present to sign.

10. REPORTS

A. City Manager:

Mr. Mulholland updated the Council on the following:

- Westboro Yard: As the Council was previously informed, the TAP Grant Application was not approved. Additionally, he was unsure if the funds Advanced Transit applied for, in conjunction with the TAP Grant, would be approved due to concerns the DOT/Federal officials have over the amount of funding requested.

An interim design plan and diagram from the DPW, Planning Office and the Police Department was presented to the Council for their review. A discussion took place regarding pedestrian safety; adding a pedestrian crosswalk with two flashing warning signs; street lighting and utility poles that would need to be removed; moving the bus stops; adding and determining the locations of sidewalks; re-appropriation of City funds (\$200K); adding another \$200K to a CIP for this project; what could be done now on the Miracle Mile given the funding constraints, and; the City's liability once any infrastructure is put in place.

The Council agreed that the Miracle Mile is a high priority project and after further discussions they felt that the City should get through the upcoming winter and then do the project the right way – not in bits and pieces. They also agreed that a well-positioned explanation, the proposed plan along with the diagram presented, should be posted on the City's website to address resident's safety concerns and inform them of the City's plans.

- CSO 12: There will be some delays on parts of that project and the work on Mascoma Street will not be completed until sometime in the Spring of 2020.
- CSO 13: The City will need to have some unexpected work done to address some environmental work, which will cost between \$2-3 million to be added to the \$60 million already spent.

- Roundabout Construction: Presently scheduled for 2020 but will not happen until at least 2021. The NH DOT will do the right-of-way work.
- Legislative Updates:
 - *HB 641* – Bill to allow the City to charge a fee to hotels, has been laid on the table.
 - SAG funding - in the Senate and House versions of the budget, although the amounts are different, which is good for the City’s Wastewater Treatment Plant.
 - *HB 365* – Bill to raise net metering CAP from 1 Megawatt to 5 Megawatts: Vetoed by the Governor. Of Note: this bill passed both the Senate and the House with significantly more than a 2/3 voice vote.
 - *HB 286* – Bill to update the Municipal Aggregation Statute: passed the House on a voice vote.

There will be a Special City Council Meeting on June 26, 2019 regarding the new Solid Waste Ordinance and setting the Public Hearing for July 24, 2019. There will also be a discussion on PFOAs with other communities who have been invited to attend this meeting. A quorum is needed for this meeting.

B. Council Representatives to other bodies: No Report.

11. FUTURE AGENDA ITEMS: None.

12. NON-PUBLIC SESSION: None.

13. Adjournment:

Councilor Bronner Moved for adjournment.

Seconded by Councilor Winny.

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

The meeting was adjourned at 8:50 PM.

Respectfully submitted,
Dona E. Gibson
Recording Secretary