

**FINAL**

**LEBANON CITY COUNCIL**

Regular Meeting

Lebanon Middle School – 3 Moulton Avenue

Wednesday, May 1, 2019

7:00 P.M.

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

**MEMBERS ABSENT** Councilor Suzanne Prentiss

**STAFF PRESENT** Shaun Mulholland (City Manager), Sandra Allard (City Clerk), Paula Maville (Deputy City Manager), James Donison (Director DPW), Jay Cairelli (Assistant Director DPW), Marc Morgan (Solid Waste Facility), and Mark Goodwin (Planning & Development)

**GUESTS** Gregory Goodrich and Michael Willard (VHB), Dave Fox (Raftelis)

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**Drawing for Top Dog**

This year's winners of the Top Dog Drawing include

1. Lucky, owned by John Andrews
2. Jasper, owned by Amanda Goff
3. Daisy, owned by Barbara Patch

Clerk's Choice Award: Petey, owned by Claire Geno

The City would like to thank the dog owners and sponsors for another successful drawing.

**Mayor McNamara called the meeting to order at 7:00 PM.**

1. **PLEDGE OF ALLEGIANCE:** Councilor Bronner led the Council in the Pledge.
2. **PUBLIC FORUM:** Mayor McNamara made the Public Forum announcement.
3. **OPEN TO PUBLIC:** No comments were put forth by the public.

**4. RESOLUTIONS**

Mayor McNamara read a Proclamation honoring the 50<sup>th</sup> Anniversary of Municipal Clerks Week (May 5-11, 2019), acknowledged the important work of the Municipal Clerk and thanked Lebanon City Clerk's staff for their service.

Mayor McNamara read a Resolution commending Assistant City Clerk Darlene Cook on her completion of the New Hampshire City and Town Clerk's Association Certification Program in attaining her certification as NH Certified Assistant City Clerk.

Mayor McNamara read a Resolution commending Deputy City Clerk Kristin Kenniston on her achievement in obtaining her Certified Municipal Clerk (CMC) status from the International Institute of Municipal Clerks.

Mayor McNamara read Resolutions honoring the following three election officials for their service to the City:

Judith St. Hilaire for her service as Moderator and Supervisor of the Voter Checklist for Ward 2 for the past 21 years.

Mary Brown for her service as a Supervisor of the Voter Checklist for Ward 2 for the past 10 years.

Jayne Sykes for her service as a Ballot Clerk for Ward 2 for the past 10 years.

Mayor McNamara read a Resolution in Honor and Memory of former City of Lebanon employee and long-time resident Carl S. Adams, on behalf of the Lebanon City Council. The resolution was presented to family members.

### **RESOLUTION IN HONOR AND MEMORY OF CARL S. ADAMS**

**WHEREAS**, Carl Adams was a resident of the City of Lebanon for all of his 101 years, having recently received the Boston Cane honoring Lebanon’s oldest living resident; and

**WHEREAS**, Carl served the City of Lebanon in the capacity of City Assessor for 26 years, Interim City Manager in 1983, Chairman of the first Conservation Commission, a member of the Planning Board for 16 years, and a State House Representative for 10 terms; and

**WHEREAS**, during his tenure, regardless of the capacity he was serving, Carl treated all residents in a fair manner. When asked once about his favorite thing about living in Lebanon, his response was “good relations with the people”; and

**WHEREAS**, Carl was a true New Hampshire gentleman with a quiet, respectful dignity, always welcoming discussion involving local happenings; and

**THEREFORE, BE IT RESOLVED**, that the Lebanon City Council on behalf of Lebanon’s residents, employees, visitors, and civil servants, extend their sincere appreciation to the family of Carl Adams in honor of his life-long service to Lebanon.

**BE IT FURTHER RESOLVED**, that this resolution be written upon the minutes of the Lebanon City Council meeting.

Dated this 1<sup>st</sup> day of May 2019 at Lebanon, New Hampshire. The Council adopted this resolution.

Mayor McNamara read a proclamation recognizing Older Americans Month – May 2019 and urged 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.

#### **5. ACCEPTANCE OF MINUTES-April 17, 2019 (Regular Session)**

*Assistant Mayor Below MOVED to approve the Minutes as presented in the May 1, 2019 agenda packet.*

*Seconded by Councilor Heistad.*

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

#### **6. APPOINTMENTS-None**

#### **7. PUBLIC HEARING ITEMS-None**

## **8. OLD BUSINESS**

### **A. Westboro Yard**

Mr. Mulholland will testify Tuesday, May 7, 2019 at the State Legislature. The House version of the budget passed, and the budget that includes funding for the Westboro Yard project is now with the Senate. If successful it will be up to the Governor to pass the budget. This should be resolved by June unless it is continued. This has been many years of requesting for funds for this project.

## **9. NEW BUSINESS**

### **A. VHB Presentation of 30% Design Plans for Downtown Lebanon Tunnel Documents**

Mr. Goodrich and Mr. Willard gave a brief project description and timeline for the work on the tunnel. There are some changes to the plan after the February 26<sup>th</sup> working session. They eliminated the ramp, selected the low enclosure compared to the stairs at the alcove, and selected black railings with vertical balusters. They are keeping the plaza simple for future growth. There was a site walk on March 15 which resulted in some modifications to the plan that pertained to the controllable LED lighting and screening around the utilities. A 30% design was submitted on April 12, 2019, and a 30% technical review was held on April 16. The above modifications were addressed in the 30% design. A public meeting is scheduled for May 2, 2019. A 90% design is due in July, which should be the final design. After that submittal, there will be another technical review and a final 100% design submittal in September with a presentation to the City Council on September 18, 2019. The hope is to start construction by the Spring of 2020.

The presentation included CAD drawings and conceptual pictures showing what the tunnel will look like and how it will connect to the Rail Trail, the parking lots and the plaza of the Mall. The design creates an outdoor space, intending to draw people to the plaza and in from the parking lot. It is a gateway to the Mall. There will be natural daylight in the tunnel from the glass enclosure that sits at the surface. The design includes landscape elements. The design proposes a walking path from the existing ADA accessible parking and access to the plaza. All elements of the design are ADA compliant.

The presenters shared some visualizations of the inside of the tunnel, showing the alcove for sitting, the granite walls, and the lighting considerations. The proposed ceiling lights illuminate the volume inside the tunnel. The lighting control system will be provided, and it is up to the City to determine how the lights can be dimmed and controlled.

There will be a net loss of about 20 parking spaces under the current design. The Councilors discussed the value of the stairs that eliminate several parking spaces and do not have a destination other than a sidewalk that is not used. They discussed possible modifications to the design to improve the parking spaces and the handicap accessible parking. The glass enclosure adds some balance to the Mall, reflecting there is something going on at both ends of the Mall.

The Councilors shared their opinions of the design. Overall, they thought the design was welcoming and the design gave a sense of a destination. Long term there may be more of a pinch for parking, but it could be manageable with parking lot enforcement and other developments for parking spaces. They discussed long term maintenance in the tunnel and how the weather will impact the tunnel, such as the dust and dirt, cleaning the walls and ceilings. The light fixtures are meant to be washed down and there are hose bibs proposed to provide water in the tunnel for maintenance. In the future, the element of the stairway could be added. There was consensus that the feel of the design is welcoming. The plantings will be drought tolerant and able to tolerate weather and harsh treatment. The designers suggested shrubberies and low grass, creating a sustainable design that will continue to look the same year after year. They discussed the work of DPW to maintain the ascetics. Staff are going to determine the number of handicap spaces that

are required by code and will try to design the space to give as much visual approach and still prove adequate parking.

The Councilors felt they did not make any significant changes to the plan. They hope to regain some parking and that could also save some money. They want the design to bring some greenery to the end of the Mall where there has never been any in the past.

**B. Discussion & Set Public Hearing for May 15, 2019: Ordinance #2019-06**

Amend City Code Chapter 68, Fees, §68-15, Enumeration of Fees to incorporate a new fee structure for water and sewer service rates.

Jim Donison, Jay Cairelli and Dave Fox of Raftelis gave a brief presentation. There have been two recent public meetings where the forecasts for the water and sewer utility were outlined and an explanation of the information that was used to determine pricing structures. It is important for the City to stabilize the revenue to cover the expense of this utility. Repair and replacement issues, maintenance and operations costs determine the rates and the various impacts of those rate changes. Currently for many residential users the pricing remains the same for small users even if water use is controlled. A fixed charge based on meter size was proposed. A typical single family should have a lower fixed rate. A two-tier charge with a lower rate for the first quantity of water that is used and a higher rate above that quantity is proposed for the single-family units only. For non-single units, such as condominiums, there will be a uniform rate, although a lower rate than currently being paid. It would be unfair to put multi-family users at the two-tier rate because the two-tier rate would be detrimental to the multi-family unit because they would be substantially above the lower quantity of usage and consequently paying the higher rate per volume of water. On the sewer side there is no tier rate. Every consumer pays the same rate for all consumption. The typical family will benefit from these changes. There is some ability to control the sewer bill based on usage for the single-family residence.

*Assistant Mayor Below MOVED, that the Lebanon City Council hereby schedules a public hearing for Wednesday, May 15, 2019, beginning at 7:00 p. in Council Chambers, City Hall, for the purpose of receiving public input and taking action on proposed Ordinance #2019-06 to amend City Code Chapter 68, Fees, §68-15, Enumeration of Fees to Incorporate a new fee structure for Water and Sewer Service Rates.*

*Seconded by Councilor Liot Hill*

The Councilors discussed the impacts on the constituent families. Large families, who use substantially more water than normal households, will pay more for the water if the larger portion of the water they use is in the second tier, but not a lot more. They will get a benefit from the reduced fixed fees, and reduced sewer rates. It is estimated that 90% of single-family homes will get a discount from the new rate system. The Councilors suggested putting a calculator on the City website, so residents can calculate how the new rates will impact their residences.

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

**C. Presentation by DuBois & King - Status of Landfill Gas to Energy Project Documents**

Michael Hildebrand from Dubois King and Jim Donison and Jay Cairelli from the City began the discussion. Also present in the audience were Dave Fox from Raftelis and Mark Goodwin from the City. Dubois and King conducted a feasibility analysis and made some determinations of what to do with the gas that is currently being burned off with a flare. Mr. Hildebrand gave a brief overview of the amount of gas generated by the landfill and the various options for gas or electric production. Thirteen possible options for production were reviewed. Graphs showing the amount of gas over the next twenty and thirty years were presented. Because the gas production tapers off after 20 years, that length of time was used to

evaluate the gas production. Converting the gas to renewable natural gas, converting the gas to electricity and using the heat from these productions to heat buildings at the landfill were evaluated.

The analysis considered the financial benefits of operations, construction capital costs and yearly maintenance, comparing the costs to the available revenue streams. Pictures of the various equipment required to manufacture both electricity and renewable natural gas were presented. There were multiple types of gas production that were evaluated, such as natural gas at the site, transportation gas, and heating gas. A conceptual plan for the design of the site that was based on safety and logistics was shown.

Generally, the production of electricity appears to be the most financially feasible. Staff are ready to put forth an RFP, with construction to start in late 2019. Each responder to the RFP will be asked to normalize their response and provide an RFP for only the type of product the contractor is currently capable of producing. The contractors will be asked for evidence of their history of doing this work. Several vendors have been contacted and the City is familiar with the vendors who have responded. The vendors have proven technology and want to do this work. The City is expecting 3-4 responses.

The Councilors asked about the market for selling the untreated gas. They discussed the tipping point of when gas production pays for itself. Electricity will start to pay for itself sooner than gas production. There is potential to cover the start-up costs and still be cash positive. The use of sludge for production of energy was another potential benefit. There is some risk for the City to own the operations and the risk adversity of the City needs to be considered for this project.

## **10. REPORTS**

### **A. CITY MANAGER**

Staff will be asking for one study for the refurbishment or reconstruction of the police station and the fire stations. They are negotiating the scope to reduce the cost of the study. The proposal is to study the three fire stations and the police department. One of the discussions was to have a combined public safety facility. However, there is already a viable police station. The City Manager would like to analyze the police building and determine how cost effectively it can be refurbished. The fire stations are elderly, he would like to get assistance to determine if they should be renovated, if they need all of the fire stations or if there should be one large facility. It was discussed that expanding the police station was not acceptable to the community where the station is located. West Lebanon feels they are a strong community and they want a fire station to be available to that community and therefore a station in both Lebanon and West Lebanon should be maintained. There is potential for centralizing the fire station to serve both communities.

Councilor Liot Hill attended the Legislature today for the sessions about House Bill 641. She said only three cities showed up today. The Bill made it through the two committees of the House and now it is at the Senate committee. She is cautiously optimistic that it will pass out of committee. Assistant Mayor Below said the bill that allows municipalities to own their own street lights is moving forward at the Legislature. The municipality aggregation is also moving forward.

May 8<sup>th</sup> is the final work plan meeting for the Council. It will be the forecasting in preparation for the 2020 budget.

### **B. COUNCIL REPRESENTATIVES TO OTHER BODIES**

At the last meeting, LEAC adopted a motion to recommend that the City install a level 2 vehicle charger near City Hall. It is hoped this will be done at no extra cost by the solar installation company.

Liberty Utilities filed a new distribution rate case and they support the new LED issues.

**11. FUTURE AGENDA ITEMS-None**

**12. NON-PUBLIC SESSION-None**

**13. ADJOURNMENT**

*Councilor Bronner MOVED for adjournment.*

*Councilor Smith seconded the motion.*

*\*The MOTION passed unanimously, (8-0).*

**The meeting was adjourned at 9:24 PM.**

Respectfully submitted

Linda Billings

Recording Secretary