

FINAL

**LEBANON CITY COUNCIL
MINUTES, REGULAR SESSION
Wednesday, May 20, 2020 - 7:00 pm
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, Director of Public Works Jim Donison, Assistant Director of Public Works Jay Cairelli, Fire Chief & Emergency Management Director Chris Christopoulos, HR Director Gloria Leskiewicz, Tom Taplin (IT)

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

This meeting took place virtually due to the COVID-19 Pandemic and was conducted in accordance with the Emergency Orders issued by the New Hampshire Governor.

A Roll Call of City Councilor was taken and all who attended the meeting are listed above.

- 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:**
- 4. RECOGNITIONS:** After 30 years of service, Sandi Allard, City Clerk, is retiring.

RESOLUTION HONORING SANDRA L. ALLARD, RETIRING CITY CLERK

WHEREAS, Sandra L. (Sandi) Allard has devoted herself to a career in public service, having served the residents and businesses of the City of Lebanon and the region for more than 30 years;

WHEREAS, Sandi began her service to the City in 1990 as the Executive Assistant to the City Manager and upon recognition of her outstanding leadership skills, was promoted to City Clerk in September of 2003; and

WHEREAS, during her time as City Clerk, Sandi achieved the levels of New Hampshire Certified City Clerk through the New Hampshire City and Town Clerks/Tax Collectors Joint Certification Program and Certified Municipal Clerk through the International Institute of Municipal Clerks, overseeing 41 successful elections, having trained and supervised hundreds of election officials; and

WHEREAS, Sandi has served thousands of Lebanon residents and businesses over the past 30 years in a courteous and helpful manner, always going above and beyond to assist them in a fair and equitable manner, which has earned her the respect, confidence and friendship of her fellow coworkers and citizens in the community; and

WHEREAS, Sandi has been an avid team player, always willing to lend a hand when needed assisting co-workers and employees from all City Departments; and

WHEREAS, Sandi's dedication, thoughtfulness and sense of humor have been instrumental in the success of her career with the City and made her a pleasure to work with;

NOW, THEREFORE, BE IT RESOLVED, that we, the members of the Lebanon City Council, on behalf of the citizenry of Lebanon, Sandi's friends, and her fellow employees and associates, do express our admiration of and respect for the career of our outstanding and faithful employee, and we extend to her our sincere gratitude and wish her well in her retirement,

BE IT FURTHER RESOLVED, that this Resolution be written upon the minutes of the Lebanon City Council meeting and a copy be presented to Sandra L. Allard.

Dated this 20th day of May 2020, in Lebanon, New Hampshire.

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

On behalf of the Council and residents of the City of Lebanon, Mayor McNamara presented Ms. Sandi Allard with a Key to the City, which is a rare event. This is one that Ms. Allard has certainly earned through the many, many, many, many years of service. He, for one, has certainly appreciated everything she had done for the City and for the Council over the years.

Ms. Allard was honored by her proclamation, stating it has been an honor to work for the City of Lebanon for 30-years, and could not think of a better place to work. She would be remiss if she did not say her success was due to the teamwork of all employees, especially her staff (both current and previous) and thanked everyone for their recognition.

The Council shared their memories, expressions of appreciation, and gratitude, both professional and personal, for Ms. Allard's service to the City of Lebanon. Ms. Allard has been the forward face of Lebanon.

5. ACCEPTANCE OF MINUTES:

- April 28, 2020 (Work Session)
- April 30, 2020 (Work Session)
- May 6, 2020 (Regular Session)

Councilor Prentiss MOVED to approve the April 28, 2020 (Work Session), the April 30, 2020 (Work Session) and the May 6, 2020 (Regular Session) minutes as written and presented in the May 30, 2020 City Council agenda packet.

Seconded by Councilor Sykes.

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:

- Conservation Commission: Ernst Oidtmann (Regular Member)

Councilor Sykes nominated Ernst Oidtmann for reappointment as a regular member of the Conservation Commission. Three-year term (5/20-5/23).

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)*

- Zoning Board of Adjustment: Dan Nash (Regular Member)

Councilor Zook nominated Dan Nash for reappointment as a regular member of the Zoning Board of Adjustment. Three-year term (5/20-5/23).

Seconded by Councilor Sykes.

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).*

- Planning Board: Gregorio Amaro (Regular Member)

The nomination of Gregorio Amaro for appointment to the Planning Board as a regular member to replace the unexpired term of Matthew Cole was put on hold. Mr. Amaro would prefer to continue as an alternate member at this time.

- Lebanon Airport-Tech Park TIF Advisory Board: (2 Property Owner/Occupant Vacancies to be filled). Because all four applicants are non-residents, only **two** of these individuals can be appointed to this committee to meet the requirement that a majority of the voting members be residents of the City of Lebanon. The terms must be staggered; one seat for a one-year term and one seat for a two-year term. The applicants have been listed in the order in which their applications were received.

Applicants:

Kelly Caron – appointment as a Property Owner/Occupant member of the Lebanon Airport-Tech Park TIF Advisory Board. Interviewed by Councilor Prentiss, who spoke about her skill sets.

Jason Archambeault – appointment as a Property Owner/Occupant member of the Lebanon Airport-Tech Park TIF Advisory Board. Interviewed by: Councilor Hill, who spoke about his skill sets.

Harrison Trumbull – appointment as a Property Owner/Occupant member of the Lebanon Airport-Tech Park TIF Advisory Board. Interviewed by: Councilor Winny, who spoke about his skill sets.

Bukk Carleton – appointment as a Property Owner/Occupant member of the Lebanon Airport-Tech Park TIF Advisory Board. Interviewed by: Assistant Mayor Below, who spoke about his skill sets, but later removed his nomination for Mr. Carleton because Mr. Carleton was the last to apply and Ms. Carson was the first, noting they both basically represent a similar perspective.

Assistant Mayor Below and Councilor Liot Hill spoke about the recusal process for the applicants if there was a direct conflict of interest between their businesses and their work on the Lebanon Airport-Tech Park TIF Advisory Board. All applicants are aware of this process.

After the Council reviewed and deliberated each of the three remaining candidate’s qualifications, and held discussions on how two applicants would be selected, it was decided that each Councilor would individually nominate their choice of a candidate by 1) Nominating their first candidate whom they would like to serve for a two year-year term, and 2) Nominating their second candidate whom they would like to serve for a one-year term. The persons receiving the most nominations for a two-year term and a one-year term would then be selected to serve on the Lebanon Airport-Tech Park TIF Advisory Board.

The Council’s nominations were as follows:

Councilor Winny: Nominated Harrison Trumbell for the 2-year position.
Nominated Kelly Caron for the 1-year position.

Councilor Zook: Nominated Kelly Caron for the 2-year position.
Nominated Harrison Trumbell for the 1-year position.

Councilor Heistad: Nominated Kelly Caron for the 2-year position.
Nominated Jason Archambeault for the 1-year position.

Councilor Sykes: Nominated Harrison Trumbell for the 2-year position.
Nominated Jason Archambeault for the 1-year position.

Councilor Prentiss: Nominated Kelly Caron for the 2-year position.
Nominated Jason Archambeault for the 1-year position.

Councilor Hill: Nominated Jason Archambeault for the 2-year position.
Nominated Kelly Caron for the 1-year position.

Assistant Mayor Below: Nominated Kelly Caron for the 2-year position.
Nominated Jason Archambeault for the 1-year position.

Councilor Bronner: Nominated Harrison Trumbell for the 2-year position.
Nominated Kelly Caron for the 1-year position.

Mayor McNamara: Nominated Kelly Caron for the 2-year position.
Nominated Jason Archambeault for the 1-year position.

The Council’s nomination results for the **two-year position** on the Lebanon Airport-Tech Park TIF Advisory Board were:

- Kelly Caron: 5 votes
- Harrison Trumbell: 3 votes
- Jason Archambeault: 1 vote

The Council’s nomination results for the **1-year position** on Lebanon Airport-Tech Park TIF Advisory Board were:

- Jason Archambeault: 5 votes
- Kelly Caron: 3 votes
- Harrison Trumbell: 1 vote

**As a result of the votes listed above, Ms. Kelly will serve a 2-year term, and Mr. Jason Archambeault will serve a 1-year term on the Lebanon Airport-Tech Park TIF Advisory Board.*

Ms. Allard reminded the Council these membership terms are just to start out with because they need to be staggered. If Mr. Archambeault ends up being re-appointed after the first year, it will be for a 2-year term.

Mayor McNamara thanked all the candidates for their applications.

7. PUBLIC HEARING ITEMS:

A. 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 Ordinance #2020-06. Available but not included in the agenda packet was the Item 9D. in the May 6, 2020 City Council Agenda Packet

Mr. Mulholland came before the Council representing the above proposed amendment, noting this was part of a larger plan to allow for some relief efforts for the City’s residents due to the economic impacts of COVID-19.

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.

Mayor McNamara opened the Public Hearing. Hearing no comments from the public regarding the collection and abatement of sewer bills, the Public Hearing was closed.

ACTION:

Councilor Bronner MOVED, that the Lebanon City Council hereby adopts Ordinance #2020-06 to amend City Code Chapter 136, Sewer Service, Article X, Collection and Abatement, Section 136-80, Abatement, as presented in the May 20, 2020 City Council Agenda Packet. Secoded by Councilor Sykes.

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)***

8. OLD BUSINESS

- A.** Presentation of Second Reading to Amend Ordinance No. 18, Salary Plan, Article II, Non-Affiliated Unit Employees, To Include the Positions of Technical Advisor I & II, And General Intern I & II

While Ms. Gloria Leskiewicz was present remotely, Mr. Mulholland came before the Council and spoke about the second reading of the proposed amendment to Ordinance No. 18 as listed above.

Due to past vacancies, retirements, and the possibility of unforeseen events, the City would like to add the positions of Technical Advisor I (Grade 11) and Technical Advisor II (Grade 16) to the Salary Plan as non-affiliated employees. Adding these positions will provide advantages to the City in that new employees, or those that have been promoted and will be transitioning into their promotional position, will have the benefit of utilizing the expertise of those that have worked for the City but are no longer working full-time. The inclusion of these positions will also permit the City to retain those employees with highly valued institutional knowledge to complete projects or assist in special events, when needed. This will also provide cost savings as Technical Advisor(s) will be paid an hourly rate, for hours worked, without the additional costs associated with full-time employment.

The City would also like to add two intern positions: General Intern I and General Intern II. The General Intern I is an entry level position and is proposed for inclusion in the Seasonal/Temporary & Stipend Employees Compensation Schedule. The General Intern II position has been classified as a Grade 1 position and is proposed to be included in the Regular Full- & Part-Time Employees Compensation Schedule. The General Intern II position will specialize in a City department which aligns with the student's course repertoire and department functions at an advanced level.

The Council is being asked to continue the process of amending Ordinance No. 18, Salary Plan, Article II, Non-Affiliated Employees, for the purpose of including the positions of Technical Advisor I & II and General Intern I & II to the Non-Affiliated Compensation Schedules.

Amending Ordinance No. 18 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.

On May 6, the City Council scheduled a public hearing for June 3, 2020 and recognized the first reading of the proposed amendment to Ordinance No. 18 to include the positions of Technical Advisor I & II and General Intern I & II to the Non-Affiliated Compensation Schedules. The third presentation will be held on June 3 along with the Public Hearing and action to adopt the proposed amendment. In accordance with the City Charter, the City Council is now asked to recognize the second of three presentations.

ACTION:

Councilor Winny MOVED, that the Lebanon City Council acknowledges the second of three presentations to amend Ordinance No. 18, Salary Plan, Article II, by adding the positions of Technical Lebanon City Council May 20, 2020 Page 77 LEBANON CITY COUNCIL May 20, 2020 Agenda Item #8.A Page 2 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 shown in the table on pages 78-80 in the City Council’s May 20, 2020 agenda packet.

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>	<i>\$33.09</i>	<i>\$44.67</i>		
	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>	<i>\$44.27</i>	<i>\$59.76</i>		
	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

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).*

9. NEW BUSINESS

A. Appointment of Kristin Kenniston As Municipal Agent for Motor Vehicle Registrations

Mr. Mulholland came before the Council and spoke about the above appointment of Ms. Kristin Kenniston.

Each municipality in the State of New Hampshire that processes motor vehicle registrations is required to have a designated Municipal Agent. The Municipal Agent is responsible for all motor vehicle related inventory, including but not limited to, official stamps, decals, registration materials, license plates, etc. The Municipal Agent is also the point of contact for audits conducted by the State of New Hampshire, and is charged with ensuring compliance, integrity, and confidentiality of all motor vehicle transactions performed within the City of Lebanon.

The process for appointing a Municipal Agent is found in NH State RSA 261:74, which reads as follows:

261:74-a Agents Appointed. – With the approval of the governing body of a city or town and subject to the direction and approval of the commissioner, the director may appoint municipal officials as agents to issue, renew or transfer motor vehicle registrations. The director shall determine the optimum number of registration agents that the division can reasonably accommodate. The appointment of any municipal official as a registration agent for the purposes of this subdivision shall continue while the agent holds his/her office or employment with the municipality, except as provided in RSA 261:74-b and 261:74-f.

The Clerk’s department is charged with motor vehicle registrations for the City of Lebanon. As such, City Clerk Sandra Allard was previously appointed as is the Municipal Agent for the City. The role of Municipal Agent is not inherent to the position of City Clerk, and as stated in RSA 261:74-a requires approval of the governing body before the State Commissioner can appoint.

Ms. Allard is retiring effective May 31, 2020. Deputy City Clerk, Kristin Kenniston has been appointed by City Manager Shaun Mulholland to fill the position upon Ms. Allard’s retirement. City Manager Mulholland is requesting that the City Council support and approve the appointment of Ms. Kenniston as the City’s next Municipal Agent for Motor Vehicle Registrations.

Councilor Winny MOVED, that the Lebanon City Council hereby supports and approves the appointment of Kristin Kenniston as Municipal Registration Agent for the City of Lebanon to be effective May 31, 2020.

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).***

B. Discussion Re: Exemption of Meter Size Fee for Single-Family Residential Structures Requiring Fire Suppression Systems

Included in the agenda packet were: 1) May 8, 2020 Memo from Jay Cairelli, Assistant Director of Public Works, re: Residential Fire Sprinkler Impacts. 2) May 11, 2020 email from Chris Christopoulos, Fire Chief, re: Response on Fire Sprinklers. 3) May 15, 2019 Excerpt of City Council Meeting Minutes. 4) Construction Plans for Westboro Woods, January 11, 2006, Revised May 5, 2006. 5) Fiscal Impact Statement, Westboro Woods, Received March 14, 2005

Information Available but not included in the agenda packet were: 1. May 15, 2019 City Council Agenda Packet, Item #7.A 2. May 1, 2019 City Council Agenda Packet, Item #9.B 3. January 16, 2019 City Council Agenda Packet, Item #8.B 4. October 17, 2018 City Council Agenda Packet, Item #8.A 5. September 19, 2018 City Council Agenda Packet, Item #8.C 6. August 15, 2018 City Council Agenda Packet, Item #9.A

Mr. Mulholland came before the Council representing the proposed Exemption of the Meter Size Fee for Single-Family Residential Structures requiring Fire Suppression Systems.

The City Council approved a new water rate structure on May 15, 2019, which included a base charge by water meter size for all water customers. The Council was provided with five options prepared by the City's consultant Raftelis to amend the water rate structure. The Council developed a hybrid option from those proposed.

Previously adopted Code provisions required that newly constructed single-family homes be equipped with a fire suppression system (commonly referred to as a sprinkler system). This provision was later repealed by the Council and is no longer a requirement. Several single-family homes were constructed during the time that fire suppression systems were required and are therefore serviced with water meters larger than single family homes without fire suppression systems.

The Council has received complaints from at least two property owners of single-family homes with fire suppression systems. The concern is the higher water bills attributable to the larger water meter sizes. The purpose of this discussion is to take possible action and address these concerns.

Mayor McNamara noted part of the meter size fee issue is that it needs to be simplified. To his knowledge, 1-2 family structures are not required to have sprinkler systems in any of the State Building Codes, but at one period the City did have a local Ordinance that required fire suppression sprinkler systems for 1-2 family structures. He also believed there were several Planning Board decisions made where sprinkler systems were required for various reasons, particularly as they related to Fire Department recommendations in dense developments.

Mr. Mulholland clarified there were some circumstances where proposed projects came before the Planning Board which included sprinkler systems. Sprinkler systems were not specifically dictated by the Planning Board, but when a projects plan was approved sprinkler systems became a component of that projects plan these projects were built. Then the Ordinance was changed to require sprinkler systems in single family residents. He explained some of the circumstances that were negotiated with the Planning Board requiring sprinkler systems and spoke about the rescinded requirements from the Planning Board in certain areas.

Mayor McNamara announced that the Council would not be taking any action on this issue tonight, but wanted to hear from the public about their concerns.

Mr. Eric Hammond (Ward 2, Peabody St.), called into the meeting remotely and came forth to discuss his concerns and frustrations over his water bill, noting it has more than double over the last three quarters from his first original bill. He shares a high efficiency duplex with his neighbor, Ms. Heidi Truman, and they both have a sprinkler system in their homes, which does provide added safety. He said both he and his neighbor do not use a great amount of water but felt they have been paying more than they should be paying. He discussed the history of his home purchase, his contact with DPW, and the water meter size for his duplex, which is having an a very noticeable impact on his finances. It is getting to the point where he is uncertain if he can afford his water bill and felt like both he and his neighbor are being penalized for having a sprinkler system. After explaining more of his personal circumstances to the Council, he requested the City Council revisit their previous Ordinance decision to end this whole matter.

Assistant Mayor Below said all Councilors have received correspondence from several residents who have run into the same issue. He wanted to make it clear he thought this was an unintended consequence (of the new water rate structure approved on May 15, 2019). What the City was trying to do was to shift more of the burden to a meter size and get rid of a minimum volume meter charge that penalized low water users. Ironically, were trying to make the rates fairer for residential and low use households. After explaining the difference between a behind the meter and a before the meter water connection, he felt the solution was for the Council to take action by asking the City's administration to prepare an amendment

to the Ordinance's fee structures so any residential account who has a residential sprinkler system connected behind the meter can apply to have their fixed meter fee charges adjusted to the meter size they would have without a sprinkler system. We certainly do not want to discourage people from having residential sprinkler systems because they do contribute to safety and do not contribute to the City's capacity size for its distribution system.

Mayor McNamara's understanding is there are two primary ways a sprinkler system is connected to a building. One is a behind the meter (on the house side of the meter) and the second is a before the meter, where the sprinkler connection comes off the City line before it even gets to the house meter. What he thought Assistant Mayor Below was suggesting is to consider a different means of calculating the water rate, other than the meter size, for those particular behind the meter sprinkler systems in the 1-2 family residential areas that are coming off the water line on the house side of the meter (e.g., a 1" meter size should be considered as a 5/8" like every other un-sprinklered 1-2 family home in the City).

Councilor Sykes said the important consideration here was that within residential sprinkler systems there are two different kinds. One is a residential sprinkler system, which is for multi-family buildings that are still considered residential sprinklers. What we are really talking about is something called an NFPA 13-d, which is strictly for 1-2 family homes and they almost always are tied into the domestic water system behind the meter. Because they are behind the meter, we do not want to be adding a charge for people who have a sprinkler system in their 1-2 family homes, and they should not have to pay extra because of this. Regardless of what may have been done in the past, we should move forward with what we should be doing by recognizing this was an unintended consequence in the way the City restructured the fees. We should make provisions to go back to a system that would allow residents in 1-2 family homes to maintain and keep their sprinkler systems and pay a water fee that more clearly matches what they will actually be using for water.

The Council further discussed sprinkler systems in residential homes; why the adopted Ordinance, at the time, was good for the safety of the residence of Lebanon; how this Ordinance had unintended consequences; the need to make changes in a timely manner to make the system fair for everyone; taking those systems that were designed under NFPA 13-d standards and treat them as if they were un-sprinklered for the purpose of water bills; having City administration draft precise language and calculations to amend the Ordinance; and having the City Manager/Staff consider abatement of water bills retroactively, once the Ordinance has been changed.

After Mr. Mulholland explained how the abatements could work moving forward, Mayor McNamara suggested that staff do the following:

- Review the Ordinance and request the NFPA, 13-d home sprinkler systems be calculated at the same rates as homes without a sprinkler system.
- City Administration/Staff should consider going back and retroactively abate the fees that were charged.

ACTION: No action required at this time as item is for informational purposes only

10. REPORTS

A. City Manager:

Mr. Mulholland updated the Council on the following:

- New Hampshire Municipal Association: Requested several Emergency Ordinances be considered by the Governor. One included a proposal allowing cities/towns to enter into agreements for tax payment plans due to COVID-19, when taxes are due, in order to provide some relief to tax payors.

- CDC and NH DHHS Guidelines: When staff enters a City building, they are all now being asked several questions and their temperatures are taken. This is being done because as things start to open-up, City staff/employees risk for COVID-19 has increased. There are no plans to open any City Government buildings at this time.
- Westboro Yard – Nothing to report.
- Bridge Park assessments are being done.
- West Lebanon improvements: Based upon the results of the Charrette, these are moving forward. A committee is being formed to review these improvements.
- Additional Budget Rescissions: A decision was made to not open the pool or Adventure Camp.
- Use of City property: Many requests have been received to use City property and he will try to accommodate these requests where he can.
- Administrative Code: Two unemployed law students will be working on developing this code because the City does not have one.
- COVID-19: The Stafford Act is now allowing the use of CARES Act funds to reimburse the remaining 25% of costs not covered by them.
- Ms. Kristin Kenniston spoke about the way the City is handling new transactions, noting staff is not answering the phones on Wednesday mornings from 8AM-Noon, and on Friday afternoons until the end of the day. This allows staff to focus on processing their transactions in a timely, efficient, and accurate manner.

Dog Licensing is due May 31, 2020. Unfortunately, at this time under the law, there is no leeway overturn fines that might happen at the beginning of June.

- 4th of July Fireworks display: Details are being worked on to have this happen at the Airport. People will be given to opportunity to give voluntary donations (\$5.00-\$10.00) at the gates. Volunteers are needed to help with this initiative.
- City Hall construction: After a delay due to COVID-19, it is expected staff can move back to City Hall at the end of October or first two weeks in November.

Councilor Prentiss wanted people to be aware of the potential for bears in their neighborhoods. They have been seen on Powers Road and Seminary Hill and suggested an Alert be posted on the City's website to inform folks about what they should/should not to do if they encounter bears. Chief Christopoulos said an Alert is already on the City's website and will make sure it stays posted.

Councilor Zook wanted to give kudos to the Recreation Department and the community for helping to make a successful Farmer's Market.

B. Council Representatives to other bodies: None.

11. FUTURE AGENDA ITEMS:

12. NON-PUBLIC SESSION:

A. Non-Public Session

RSA 91-A:3.11(d) "Consideration of the acquisition, sale or lease of real or personal property."

Councilor Bronner MOVED to go into a Non-Public Session per RSA 91-A:3.11(d) "Consideration of the acquisition, sale or lease of real or personal property." at 8:45 PM.

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).***

Staff Present: City Manager Shaun Mulholland, Solid Waste Manager Marc Morgan, and Public Works Director Jim Donison

Council discussed consideration of acquisition of real property.

***Councilor Bronner MOVED to go out of non-public session.
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).***

Council went out of non-public session at 9:24 PM.

13. ADJOURNMENT:

***Councilor Bronner MOVED for adjournment.
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).***

The meeting was adjourned at 9:25 PM.

Respectfully submitted,
Dona E. Gibson
Recording Secretary