CITY OF FRANKLIN
CITY COUNCIL MEETING
January 8th, 2024
and 2024 INAUGURAL
6:00 P.M.

FRANKLIN CITY COUNCIL
2024 INAUGURAL PROGRAM AGENDA
Monday, January 8, 2024 - 6:00 p.m.
Franklin Lodge of Elks
or view only via Zoom: https://us02web.zoom.us/j/89490729805
or by phone: *1-312-626-6799,* Meeting ID# 894 9072 9805

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God Bless America – High School Performing Arts

****

Salute to the Flag – Boy Scouts of America – Troop 61

****

National Anthem – High School Performing Arts

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MOMENT OF SILENCE FOR OUR VETERANS

****

Citizen of the Year Award Presented by Mayor Jo Brown

****

2023 CITY COUNCIL BUSINESS

PUBLIC HEARINGS

Ordinance 06-24 regarding the elected and appointed officials code of conduct.

Resolution 12-24 accepting and appropriating $500,000 Community Development Block grant funds for the Healthfirst project.

A proposed application to the Community Development Finance Authority for up to $500,000 in CDBG Housing Grant Funds. Of the grant funds, up to $30,000 will be retained

by the City for administrative/labor compliance associated with the project, $470,000 of the funds will be subgranted to Woodside Haven LLC, or related entity, to rehabilitate Franklin Woods, 11 Plains Court, Franklin, NH. The building contains 36 units of affordable housing.

The Residential Anti-displacement and Relocation Assistance Plan for the proposed Franklin Woods Rehabilitation Project.

Agenda Item I. (pg. 1)

Council to consider the minutes of the December 4, 2023 City Council Meeting, the December 4, 2023 City Council Nonpublic meeting, the December 14, 2023 City Council Workshop meeting and the December 14, 2023 City Council Workshop Nonpublic meeting.

Agenda Item II. (pg. 45)

Council to consider Ordinance 06-24 regarding the elected and appointed officials code of conduct.

Agenda Item III. (pg. 53)

Council to consider Resolution 12-24 accepting and appropriating $500,000 Community Development Block grant funds for the Healthfirst project.

Agenda Item IV. (pg. 60)

Council to consider a proposed application to the Community Development Finance Authority for up to $500,000 in CDBG Housing Grant Funds. Of the grant funds, up to $30,000 will be retained by the City for administrative/labor compliance associated with the project, $470,000 of the funds will be subgranted to Woodside Haven LLC, or related entity, to rehabilitate Franklin Woods, 11 Plains Court, Franklin, NH. The building contains 36 units of affordable housing, AND the Residential Anti-displacement and Relocation Assistance Plan for the proposed Franklin Woods Rehabilitation Project.

Agenda Item V. (pg. 67)

Council to consider unsealing any non-public meetings from 2022 & 2023.

Agenda Item VI. (pg. 71)

Council to consider authorizing the City Manager to enter into franchise agreement negotiations with Comcast.

Agenda Item VII. (pg. 74)

Council to consider city Customer Aggression Policy.

Adjournment

2024 INAUGURAL PROGRAM

Invocation	**Deacon Tom Matzke, Catholic Church**
Swearing in of our Mayor (2-yr term): **Desiree McLaughlin**	**City Attorney Paul Fitzgerald**
Swearing in of Councilors (3-yr term): **Ward I, Councilor-Elect Timothy Johnston** **Ward II, Councilor-Elect Susan Hallett-Cook** **Ward III, Councilor-Elect Ed Prive**	**City Attorney Paul Fitzgerald**
Swearing in of School Board Members (3-yr term): **Ward I, Myla Marie Danforth** **Ward II, Liz Cote** **Ward III, Jane Cote**	**City Attorney Paul Fitzgerald**
Inaugural Address	**Mayor Desiree McLaughlin**

Battle Hymn of the Republic **High School Performing Arts**

Reception and Refreshments

2024 CITY COUNCIL BUSINESS

COMMENTS FROM THE PUBLIC

Persons wishing to address the Council may speak for a maximum of three minutes. No more than thirty minutes will be devoted to public commentary. Reminder that public comment is welcome and will be taken under advisement by the Manager & Council. Ongoing requests for status should be addressed to the city manager or her designee during regular business hours. The council is a public body required to conduct the business before it on the agenda that has been vetted through the City's professional staff.

CITY COUNCIL ACKNOWLEDGEMENT

The Mayor will recognize any Councilor who wishes to express their appreciation on behalf of the City.

LEGISLATIVE COMMENTS

Agenda Item I. (pg. 83)

City Manager's Update

Agenda Item II. (pg. 86)

Monthly School Board Update

Agenda Item III. (pg. 88)

Choose Franklin to present Junior Essay Contest Winner

Agenda Item IV. (pg. 90)

Other Business

1. **Committee Appointments**
2. **Committee Reports**
3. **Late Items**

Adjournment

The City Council of the City of Franklin reserves the right to enter into non-public session when necessary, according to the provisions of RSA 91-A.

This location is accessible to the disabled by stairwell elevator. Those wishing to attend who are hearing or vision impaired may make their needs known by calling 934-3900 (voice), or through "Relay New Hampshire" 1-800-735-2964 (T.D./TRY)

2023 CITY COUNCIL MEETING

AGENDA ITEM I

Subject: Approval of Minutes

Motion: "I move that the Franklin City Council approve the minutes of the December 4, 2023 City Council Meeting, the December 4, 2023 City Council Nonpublic meeting, the December 14, 2023 City Council Workshop meeting and the December 14, 2023 City Council Workshop Nonpublic meeting."

Mayor calls for a second, discussion and the vote.

City Council Meeting Minutes
Monday, December 4, 2023 - 6:00 p.m.
Franklin Lodge of Elks

Council in attendance: Mayor Jo Brown, Councilor Jay Chandler, Councilor Leigh Webb, Councilor George Dzujna, Councilor Ted Starkweather, Councilor Paul Trudel, Councilor Valerie Blake, Councilor Vince Ribas, Councilor Olivia Zink and Councilor Bob Desrochers

Absent: None

Others in attendance: City Manager Judie Milner, City Department Heads, and members of the public.

Mayor Brown called the meeting to order in Council Chambers at 6:01 p.m.

Salute to the Flag was led by Councilor Dzujna.
Councilor Desrochers asked for a moment of silence for the following veterans that passed away last month: Bradley Haas (US Army Military Police, Franklin Police Officer retired), David English (PFC US Army E-3, Korean war), and Michael Murphy (Petty Officer 2nd Class E-5, Electronics Technician 2nd Class ENT, US Navy 1971 – 1975 Vietnam ERA).

Public Hearings:

Resolution 11-24 authorizing a one-time retention, recruitment & referral bonus program for police department employees and appropriating $413,412 in fund balance to support the program.

The public hearing opened at 6:03 p.m.

The majority of the public comments were in support of this resolution.
Councilor Blake also read two letters into record from residents Maureen Aube and Bill Yacopucci, which can be found at the end of the minutes.

The public hearing on Resolution 11-24 closed at 6:16 p.m.

Legislative Update:
There is no update at this time and the representative was not present.

Milner stated that she would like to present some social media busters before the public comments start.

- The 1st charette on outdoor recreation leveraged their rivers and effects private partnerships with Mill City Park and the Opera House. The three main partnerships that the city has are Mill City Park, Franklin Opera House and the Franklin Outing Club. These

are all free to the public. The council is looking at these private partnerships under a 35,000' view. They all operate on city owned land/buildings and all operate under a lease with the city. Mill City Park alone includes 18 acres of land that they maintain. This includes over 26 invasive species on the land that they are taking care of instead of the city having to do it. She asked how it would look if the city were to abandon a partial project?

- As far as taxes, Milner stated that they are still under the tax cap in Franklin. If assessments go up the tax rate comes down. There are some desirable properties in Franklin, per the current market, which have driven assessments up. The CPIU is at 6.5% this year. Also, the Governor paid $338,000 of the taxes for Franklin last year as a one-time relief in state funds. This is why the taxes were lower on the last bill as well.

Milner urged residents to reach out to the assessing department with any questions about their home assessments.

Comments from the Public:

Mayor Brown reminded everyone that persons wishing to address the council may speak for a maximum of three minutes and no more than thirty minutes will be devoted to public commentary.

Public comments opened at 6:27 p.m.

Many residents approached the council with comments and they are outlined below:

- Jeff Perkins announced that he would like the city council to schedule a workshop meeting on December 14th to meet with the Franklin Opera House board.
- Resident Al Warner read from an email he wrote to the council, which is attached to the end of the minutes.
- A resident stated that he was excited to see all of the new businesses like, eBikes, Waterhorse Pub, and Chinburg coming to the city that are here because of Mill City Park.
- A resident thanked everyone in the city for the emergency evacuation efforts. He also encouraged the city council to meet with the Opera House board, to allow the welcome signs, and to extend the Mill City Park MOA to save the city money by not having to maintain the land.
- Many other residents came before the council to give their support on renewing the Mill City Park MOA and were in favor of allowing the city to apply for grants to help the White-Water Park. It was mentioned that the land used to be a dump before Mill City Park cleaned everything up with the use of volunteers. The majority of comments on this subject were in support, with only one request that the vote on the MOA be tabled until the newly elected council is seated at the January meeting.
- An email to the council from resident Myla Marie Danforth requesting that the vote for extending the MOA for Mill City Park be tabled until the new city council is seated was read into record. This letter is attached to the end of the minutes.

Coalition Coordinator, Stephanie Wolff, provided updates on Franklin's Partners in Prevention:

- On November 16th, Franklin's Partners in Prevention and Franklin High School hosted the first Family Engagement event with the wildlife encounters. They had about 30 students in attendance and several members of school staff. They are looking to schedule another engagement event following the holidays.

- Wolff thanked the Franklin Business Group and everyone involved in planning the Holiday Stroll. It was a great time! She also gave a shout out to Christine Dzujna and Jamie Bryant for representing FPIP and handing out about 4 gallons of hot cider.

Letters/emails were read into record by Councilor Desrochers, Councilor Blake, Councilor Dzujna, Councilor Zink, and Mayor Brown. These are all attached to the end of the minutes.

Public comments closed at 7:35 p.m.

Mayor's Update:

- Mayor Brown thanked all of the people who participated in the very quick action and recovery of the gas leak on Central Street a couple of weeks ago. Fire Chief Foss addressed concerns directly with anyone involved or who had questions. The collaboration between fire, police, municipal and state agencies was tight, professional and effective in assuring the safety of the citizens and the teamwork with all of the departments was amazing during the evacuation.
- The above was followed by the shooting of retired Police Chief Haas. There was a lot of media attention and the city held a remembrance service on November 20th.
- She had the opportunity to speak to some middle school students at the NH Veterans Cemetery who were helping to lay wreaths on the graves. She stated that she will always take the time to remember our veterans, who are also among America's greatest heroes.

City Council Acknowledgement:

Councilor Dzujna acknowledged everyone that helped with getting Christmas lighting up in the downtown, including the tree at Marceau Park, and making everything look so festive.

Councilor Webb acknowledged the Festival of Trees this year. It was another wonderful community event that was very successful and echoed Councilor Dzujna about the downtown lighting.

Councilor Blake thanked everyone who had anything to do with making the Holiday Stroll the success that it was. She stated that they also hosted their first annual window decorating contest, so she urged everyone to go downtown and take a look at the storefront windows.

Mayor Brown called for a 10-minute break at 7:43 p.m.

The meeting reconvened at 7:53 p.m.

Agenda Item I.
Approval of Minutes.

Council to consider the minutes of the October 23rd, 2023 City Council Workshop meeting, the October 23rd, 2023 City Council Workshop nonpublic meeting, November 6th, 2023 City Council meeting, and the November 20th, 2023 City Council Workshop meeting.

Motion – Councilor Dzujna moved that the Franklin City Council approve the minutes of the October 23rd, 2023 City Council Workshop meeting, the October 23rd, 2023 City Council Workshop nonpublic meeting, November 6th, 2023 City Council meeting, and the November 20th, 2023 City Council Workshop meeting. Seconded by Councilor Ribas.

Mayor Brown asked if there was any discussion.
Councilor Zink had a few amendments that she made to the November 6th minutes.

All in favor. Motion PASSED.

Agenda Item II.
FBIDC to present new welcoming signs for Franklin.

Motion – Councilor Ribas moved that the Franklin City Council accepts FBIDC's gift of new welcome to Franklin signage to the city and authorizes the municipal services department to assist in the placement and installation of signage. Seconded by Councilor Trudel.

Mayor Brown asked if there was any discussion.

Jim Aberg stated that there were four Welcome to Franklin signs that they would like to present. They would be 4' x 6'. The FBIDC board has the funding for the signs and wouldn't cost the city anything. They raised funds separately for the signs.

There was a letter brought up about the pictures on the signs being trademarked and only usable on the 4 signs being presented. There was a discussion about whether this was something that should be revised with the company that is trademarking the pictures. Some argued that this may pose a problem and others stated that it is common business practice to put a trademark on their work.

There was also a discussion about whether the downtown sign should say Franklin Falls or just the City of Franklin.

The council discussed having FBIDC come back after getting the trademark issues squared away and looking more into the naming of Franklin Falls.

Motion – Councilor Ribas withdrew his motion to accept FBIDC's gift of new welcome to Franklin signage to the city and authorizes the municipal services department to assist in the placement and installation of signage. Seconded by Councilor Trudel.

Mayor Brown asked if there was any objection.
There was no objection to the withdrawn motion.

Jim Aberg asked what exactly was needed when he brings this back to the council. He acknowledged that he would have to review the trademark policy with the company who made the logo for them. He asked if the council does not want to recognize the historic district of Franklin Falls with one sign and have all signs just say "Franklin, NH".

Councilor Desrochers stated that there should not be any other names for the historical district, as it separates downtown from everyone else in Franklin.

Mayor Brown did mention a comparison in Laconia. They have Weirs Beach in Laconia as a marketing thing, but they are all still in Laconia.

Agenda Item IV. (moved above item III)
School Board Update

Superintendent LeGallo's updates were as follows:

- **State Test Results and Drop-Out Rate:** The 2022-2023 state test results from last spring are out. They saw some improvements but not enough to get off the Federal Accountability Designations of Comprehensive Support and Improvemnet School (CSI) at the elementary and middle school and Targeted Support and Improvement School (TSI) at the high school. They are continuing to implement their school improvement plans that were developed and finalized over the summer. They also received their Drop-Out rate numbers for 2023-2024 and they are at 3.72%. This is creeping up from their low of 1.51% last year, but less than the over 4% and 8% from previous years. LeGallo had a printout chart for the council, which is included at the end of the minutes.

- **High School Redesign:** LeGallo stated that he is going to have their High School Principal, Dave Levesque, join him next month to share the news of how the high school redesign work is going this year.

- **Franklin Footlight Theatre is partnering with Franklin High School in the production of the Addam's Family:** The show runs this Friday through Sunday with 4 productions at Franklin Middle School. Tickets are available online on the Opera House website.

- **School Board Member:** He would like to begin the process of replacing their outgoing School Board member, who will be the mayor starting next month.

Agenda Item III.
City Manager's Update

- Milner stated that without objection she would be setting up a workshop on the 14th with the Opera house Board. This would be at 7pm at the Lodge of Elks. There was no objection.

- The council was informed that she will have the budget reports for FY24 out to them tomorrow. The city Finance Director is out on medical leave until the end of January so Milner has been doing two jobs and plans on getting temporary help from MRI.

- Contingent Grant Line Activity – Received $2,722.05 from the Franklin Partners in Prevention Fall/Soup Festival. $865 from various donors, $225 from Franklin Savings Bank for downtown lighting, $1,000 from Benson's for youth sports scholarships and $75 for recreation scholarships.

- Trust fund for school funding – $272.55

- Thank you – Milner wanted to reiterate how proud she is of this management team and employees of the City of Franklin for how they handled opening the emergency operations center for the gasoline leak on Central Street. There is an employee of City Hall who has a sister that works at DES that happened to mention that the gentleman that came back from DES said that Franklin handled this emergency very well. She also thanked the businesses and the folks that live downtown, as they rallied together to find places for everyone to go.

- Workshops – December 18th - All things Municipal Services
  January 29th – All city departments coming to the city council just to describe their weaknesses, challenges, strengths, etc.

- Welcome Aboard - Trevor Lowder – PD
  Josh Nason – MSD (Welcome back)

- Congratulations – Sargeant Ball and Lieutenant Poirier from PD for completing the executive development certification at Roger Williams University, Chief Goldstein who received the NH Chief of Police President's Award for outstanding service, and firefighter Nate Ecker for completing his firefighter I & II certifications.

- Shout Out – Glen Morrill and his Tuesday group for transitioning into the downtown winter décor so quickly, also to the businesses and participants of the Holiday Stroll. She gave a huge shoutout to Franklin Opera House and the Tuesday group for making the downtown look like a Hallmark movie.
  She also stated that she can't thank the police department enough, as they are shorthanded, understaffed, working many hours and they still took the time and were proud to carry former Chief Haas at the funeral.

- Committee Meetings – December:
  Parks & Rec Committee – TBD
  Police Committee – 12/21 @ noon at the police department

- Media contacts – The Boston Chronicle report on the City of Franklin aired on November 8, 2023, which is available on their website still. It was very well done.

- City SPIRIT – Save the Date – The event is going to be rolled out on Saturday, April 6th, 2024 at the Bessie Rowell Community Center. More details will be coming.

- NHMA Conference - Milner attended the conference early in November and spent a lot of time on municipal/community solar. This project will have to hold for a little bit until a couple of other projects come off of the table. She does think that this will be a good thing for Franklin and she will get info and brochures from NHMA to the council before having a conversation.

- Stanley Mill Update – In the process of doing the RFQ for the qualified engineer professional, which will go out shortly so that the city can hire the person who will be responsible for overseeing the project. The first thing that person will need to do is send an RFP of the actual building demo to make sure that it does not affect any contaminants are going into the river.

- City Hall Update – The city has received a preliminary report from the architects and there will be a meeting on it with city staff and the architects. After the meeting, a workshop meeting will be scheduled to go over that with the council.

- Inaugural Meeting – This will be on January 8th, 2024 @ 6pm at the Lodge of Elks.

- City Offices Closed – City offices are closed on Friday, December 22nd at noontime, Monday, December 25th, and Monday, January 1st.

- Holiday Luncheon – It is a catered lunch by Hart's at the fire station on Friday, December 22nd at noon. She invited the mayor and council to attend.

- Milner addressed something concerning that she heard about tabling items for the new council. She reminded the public that the city is an ongoing entity and the City Council has to make decisions that move on past their term a lot. The City Council acts as a body, not necessarily the individuals that are on it. Tabling items for a new council is probably counterproductive.

Agenda Item V.

Council to consider Resolution 11-24 authorizing a one-time retention, recruitment & referral bonus program for Police department employees and appropriating $413,412 in fund balance to support the program.

Motion - Councilor Ribas moved that the Franklin City Council adopt Resolution #11-24 authorizing a one-time retention, recruitment, referral and field training officer bonus program for employees and appropriating $413,412 in fund balance to support the program. Seconded by Councilor Trudel.

Mayor Brown asked if there was any discussion on this motion.
A long discussion ensued about the need for this resolution.

By a roll call vote.

Roll Call:

Councilor Chandler	yes	Councilor Webb	yes	Councilor Desrochers	abstained
Councilor Dzujna	yes	Councilor Blake	yes	Councilor Trudel	yes
Councilor Ribas	yes	Councilor Starkweather	yes	Councilor Zink	yes

8 in favor; 1 abstention. Motion PASSED

RESOLUTION #11-24

A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2024.

In the year of our Lord, Two Thousand Twenty-Three,

WHEREAS, the City Council of the City of Franklin, New Hampshire adopted a budget for Fiscal Year 2024 which began July 1, 2023, **and;**

WHEREAS, the City Council of the City of Franklin, New Hampshire understands the particular challenges of the current labor market and national conversation; specifically, the police department's challenges in recruiting and retaining employees as a result, **and;**

WHEREAS, the City Council of the City of Franklin, New Hampshire wishes to be more competitive with other police department hiring practices in order to recruit and retain high quality employees for the police department, **and;**

WHEREAS, the City Council of the City of Franklin, New Hampshire wishes to implement a referral, retention and recruitment program for all current police department open and filled positions to give the recruitment efforts another "tool in the toolbelt" for success, **and**

WHEREAS, the City Council of the City of Franklin, New Hampshire wishes to fund this program through the one-time, non-lapsing appropriation of $413,412 from the City's accumulated fund balance, **Now,**

THEREFORE, BE IT RESOLVED that at the scheduled meeting of the City Council on Monday, December 4, 2023 at 6pm the City Council of the City of Franklin, New Hampshire does hereby adopt resolution #11-24 authorizing a one-time retention, recruitment and referral bonus program for police department positions under the following guidelines:

Bonus Rules:
One time retention bonus of $10,000 for current full-time employees based

on FY2024 authorized position listing positions once they have been employed for at least one year

One time retention bonus of $2,500 for current part time officers with 8 hour per week average hours over the last 52 weeks

One time recruitment bonus of $20,000 for current open full-time positions to be paid as follows: $10,000 upon hire, $5,000 at the end of year 1, $5,000 at the end of year 2 (the employee signs a 3-year contract upon hire requiring the payback of the bonus if they terminate employment within the contract period)

One time referral bonus of $5,000 for any employee who refers an individual successfully to one of the full-time open positions to be paid as follows: $2,500 upon hire, $2,500 upon 1 year recruited employee's anniversary

Temporary increase in Field Training Officer pay to $5 stipend for the training of the recruits to the current open positions

Must remain active employee for the duration of the period to be eligible for bonus - no proration of bonuses.

And authorizing the following non lapsing one-time appropriation:

An increase in FY2024 revenues:

Use of Fund Balance Acct. No. 01-0-000-39399-000 – Four Hundred Thirteen Thousand Four Hundred Twelve dollars ($413,412)

And an increase in FY2024 expenditure accounts,

Retention Bonus Acct No. 01-1-302-40131-000 - Four Hundred Thirteen Thousand Four Hundred Twelve dollars ($413,412)

Agenda Item VI.
Council to consider selling miscellaneous municipal fire alarm equipment which is no longer in use.

Motion - Councilor Ribas moved that the Franklin City Council authorize the Fire Department Administration to sell and/or scrap the accumulated surplus municipal fire alarm system equipment for the best possible price as well as donate the *console, small bell and ticker with take up reel, and a Master Box* to the Franklin Firefighters Association to set up a small-scale functioning system in the Firefighter Museum. Seconded by Councilor Starkweather.

Mayor Brown asked if there was any discussion on this motion.
No discussion ensued.

All in favor. Motion PASSED

Agenda Item VII.
Council to consider renewal of Memorandum of Agreement with Mill City Park.

Motion - Councilor Dzujna moved that the Franklin City Council re-affirm the 9/13/2017 memorandum of agreement between the City and Mill City Park through 9/30/2027. Seconded by Councilor Blake.

Mayor Brown asked if there was any discussion on this motion.

There was a small discussion about the agreement. Councilor Blake did state that she is not a member of the Mill City Park board, so this should not affect her right to vote on this. Mayor Brown also reiterated that this is just an agreement that just need to be renewed and is like any other agreement with other city partnerships on city owned property.

Milner explained that on the memorandum of agreement it states that positions that signed the agreement can actually extend it. She did feel it was necessary to bring to the council because she feels like two of the positions are occupied by different people, but technically the agreement could move forward with just the signatures.

She does think that for the Land & Water Conservation Fund grant, it is necessary to have this in place, as they will be looking at it. She stated that she would appreciate a vote on this from the council. It does not need to be reaffirmed by the council, but would be a stronger agreement for grants if approved by the council.

Motion - Councilor Desrochers moved that the Franklin City Council postpone the vote on the Mill City Park MOA to the City Council Workshop meeting on December 14th, 2023. Seconded by Councilor Trudel.

5 in favor; 4 opposed. Motion PASSED

Agenda Item VIII.
Council to consider authorizing the City to apply for 2 Land & Water Conservation Fund grants for the white-water park.

Motion - Councilor Trudel moved that the Franklin City Council authorize the City Manager to apply for (2) $500,000 grants through Land & Water Conservation Fund for the construction of (2) water features in the river at Mill City Park. Seconded by Councilor Dzujna.

Milner let the council know that the ask is a little bit different than the two water features at Mill City Park. It is a $500,000 grant for water feature number 2 at MCP and a $500,000 grant for the next phase of the land portion at MCP.

Motion - Councilor Ribas moved that the Franklin City Council amend the motion to say one $500,000 grant for the water feature and one $500,000 grant for the land feature. Seconded by Councilor Trudel.

Mayor Brown asked if there was any discussion on this motion.

A small discussion ensued and Milner confirmed that grant matching funds would be with CDFA tax credits, the current value that the city has in TIF, and on the land portion it is a private donation match and an in-kind match, meaning some kind of donation labor. This would mean no current taxpayer dollars.

Milner stated that Land & Water Conservation has already walked through this grant and the city has been approved to apply.

8 in favor; 1 abstention. Motion PASSED

Agenda Item IX.
Council to consider setting public hearing on Ordinance 06-24 regarding the elected and appointed officials code of conduct.

Motion - Councilor Ribas moved that the Franklin City Council set a public hearing for 6pm on Monday, January 8, 2024, regarding the adoption of Ordinance 06-24, Code of Conduct for Elected Officials and Appointed Board Members. (In title only) Seconded by Councilor Trudel.

Mayor Brown asked if there was any discussion on this motion.
No discussion ensued.

All in favor. Motion PASSED

Agenda Item X.
Council to consider setting a public hearing on Resolution 12-24 accepting and appropriating $500,000 Community Development Block grant funds for the Healthfirst project.

Motion - Councilor Ribas moved that the Franklin City Council set a public hearing on Monday, January 8, 2024 at 6pm regarding resolution 12-24 accepting & appropriating $500,000 Community Development Block Grant Public Facility Funds received through Community Development Finance Authority for the Healthfirst Renovation/Addition Project. Seconded by Councilor Trudel.

Mayor Brown asked if there was any discussion on this motion.
No discussion ensued.

All in favor. Motion PASSED

Councilor Ribas read Resolution 12-24 to the public.

RESOLUTION #12-24

A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2024.

In the year of our Lord, Two Thousand Twenty-Four,

WHEREAS, the City Council of the City of Franklin has adopted a budget for Fiscal Year 2024 which began July 1, 2023, and;

WHEREAS, the City Council of the City of Franklin, New Hampshire supported, at their June 5, 2023 City Council meeting, an application through Community Development Block Grant Public Facility Funds for Healthfirst Family Care renovation/addition project, and;

WHEREAS, the City Council of the City of Franklin acknowledges receipt of a Community Development Block Grant in the amount of $500,000 from the Community Development Finance Authority for the Healthfirst Renovation/Addition Project, **Now**

THEREFORE, BE IT RESOLVED, that at the scheduled meeting of the City Council on Monday, January 8, 2024, the City Council of the City of Franklin, New Hampshire does hereby adopt resolution 12-24 accepting the community development block grant in the amount of $500,000 from the Community Development Finance Authority and authorize the following non-lapsing appropriation:

An increase in revenue:

Federal Grants – CDBG Healthfirst Acct No. 14-9-012-33110-467 – Five Hundred Thousand Dollars ($500,000),

And an increase in expenditure:

Federal Grant Buildings – CDBG Healthfirst Account No. 14-9-012-40720-467 in the amount of Five Hundred Thousand Dollars ($500,000).

Agenda Item XI.
Council to consider MOU with New England Mountain Bike Association for trail development at the Veterans Memorial Ski Area.

Motion - Councilor Dzujna moved that the Franklin City Council approve the revised Memorandum of Understanding between the City of Franklin, Franklin Outing Club and New England Mountain Bike Association for the construction of recreational trails at the Veteran's Memorial Ski Area. Seconded by Councilor Trudel.

Mayor Brown asked if there was any discussion on this motion.
A small discussion ensued.

All in favor. Motion PASSED

Agenda Item XII.
Council to consider disposition of tax deeded property.

Motion - Councilor Ribas moved that the Franklin City Council authorize the City Manager to dispose of the following properties; Map/Lot# 117-268-000 163 Central Street (direct sale) and Map/Lot# 135-115-000 46 Orchard Street (bid of $10,000). Seconded by Councilor Blake.

Mayor Brown asked if there was any discussion on this motion.
Councilor Zink asked if 46 Orchard Street would need to be demolished and rebuilt die to the conditions. Milner confirmed that was correct.

All in favor. Motion PASSED

Agenda Item XIII.

Other Business:

1. **Mayor & Council Appointments:**

   Motion - Councilor Ribas moved that the Franklin City Council appoint Yama Ploskonka to the Zoning Board of Adjustment Committee, seat ZBA2, term of service to January 2027, appoint Debbie Davis to the Zoning Board of Adjustment Committee as an Alternate, seat ZBA6, term of service to January 2027, reappoint Justin Hanscom to the Concord Regional Solid Waste/Resource Recovery Cooperative, term of service to December 2026, and reappoint Rocky Marsh to the Concord Regional Solid Waste/Resource Recovery Cooperative as an Alternate, term of service to December 2026. Seconded by Councilor Dzujna.

   All in favor. Motion PASSED

2. **Committee Reports:**

   There were no committee reports at this time.

3. **Late Items:**

   There were no late items.

4. Nonpublic Session Needed:

Milner stated that they were ready to enter into a nonpublic session.

Motion – Councilor Ribas moved that the Franklin City Council enter into nonpublic according to RSA 91-A:3, II (l) Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present. Seconded by Councilor Trudel.

By a roll call vote.

Roll Call:

Councilor Blake	**yes**	**Councilor Desrochers**	**yes**	**Councilor Starkweather**	**yes**
Councilor Webb	**yes**	**Councilor Dzujna**	**yes**	**Councilor Trudel**	**yes**
Councilor Chandler	**yes**	**Councilor Ribas**	**yes**	**Councilor Zink**	**yes**

All in favor. Motion PASSED

Entered into nonpublic at 9:59 p.m.

Motion – Councilor Zink moved to leave nonpublic session and return to public session. Seconded by Councilor Chandler.

All in favor. Motion PASSED

Public Session reconvened at 10:20 p.m.

Motion — Councilor Zink moved to seal the minutes. Seconded by Councilor Ribas.

By a roll call vote.

Roll Call:

Councilor Blake	**yes**	**Councilor Desrochers**	**yes**	**Councilor Starkweather**	**yes**
Councilor Webb	**yes**	**Councilor Dzujna**	**yes**	**Councilor Trudel**	**yes**
Councilor Chandler	**yes**	**Councilor Ribas**	**yes**	**Councilor Zink**	**yes**

All in favor. Motion PASSED

ADJOURNMENT:

Motion to adjourn was made by Councilor Zink and seconded by Councilor Chandler. All in favor. Motion PASSED.

The meeting adjourned at 10:21 p.m.

Respectfully submitted,

Lisa A. Jones
Executive Secretary

December 4, 2023

To: Councilors of Wards 1, 2, and 3

Re: **Resolution #11-24**

From: Maureen D. Aube, Ward 3

19 Mountain View Drive, Franklin

603-520-2523

Even though I reside in Ward 3, I believe that all of you represent me. The decisions you make impact all the residents of the City of Franklin.

I request that all city councilors approve **Resolution #11-24** to release $413,412 in fund balance to support authorizing a one-time retention, recruiting and referral bonus to the Franklin Police Department's employees.

In addition, I request that you and the incoming council make it a priority to address the immense salary inequities of our city employees – police, fire fighters and teachers. This will help in retaining the above-mentioned who contribute so much to our city.

Maureen D. Aube, Ward 3

*{**This paragraph not to be read at the meeting:** This has been formatted with a larger font and space between paragraphs, to make it easier to be read aloud by another person. It would not normally be three pages long. It has been timed, at a normal pace, to be under the 3-minute maximum allotted for individual comment.}*

Testimony to Franklin City Council regarding Resolution 11-24

From: Bill Yacopucci, Ward III Resident

Date: December 4, 2023

Thank you for the opportunity to provide written testimony regarding this issue. Work has prevented my attendance in person.

I believe I can provide some perspective on the current state of employment at the Franklin Police Department. I was a police officer for Franklin in the late 1980s and early 1990s and there are parallels between now and then.

Franklin had the lowest starting pay in the area. We always had several openings for full-time officers. And many of the officers we did have were only with us for a year or two. They used Franklin to get their foot in the door for law enforcement.

Compared to the smaller communities around us, we had a higher call volume that provided officers with good experience. But all too often they would take that experience - after our footing the bill for their academy certification - and go elsewhere.

Since the age of 14 I had been part of a Police Explorer program that existed at the time. For Franklin, there was no time to waste - I was sworn in as a part-time officer on my 18th birthday. Though I was enrolled in college full-time, I commuted back to Franklin to do several night shifts a week – working 25 to 30 hours on average. Summertime, I worked about 80 hours a week between patrols and special details.

Being young and dumb I ate it up. I was happy and proud to serve my community. But this is not sustainable. Even if an officer is willing to put in overtime; too much and it will eventually affect their mental acuity and alertness – two important factors in a job with often-high consequences.

I recall working 30 straight days without a day off. I vividly remember once waking up at 3am – behind the wheel of my patrol car - wildly fishtailing in the snow, barely recovering before heading off an embankment. Fortunately, the adrenaline rush from avoiding near-disaster kept me awake for the rest of the shift.

That was just one of many near misses I and my fellow officers experienced. These are nothing to brag about. The public only hears about them when one goes really sideways.

Fast-forward to today. Imagine that exhaustion - and you must respond to an armed, barricaded subject intent on killing people. As the last month has shown, you don't always get a chance to process one tragedy, before the next comes along.

One key difference between now and then: Back then we had a much larger part-time officer contingent than today. Just as fire departments have experienced over the last few decades, people must commute further for regular employment. This makes people less willing and available to fill part-time service needs in their communities. The void that we filled then, today falls more heavily on the full-time officer staff.

I have had the pleasure of interacting with many of Franklin's current officers and they are a fine group of professionals. I see their dedication to their job and community. But that can only go so far. Officers are like any other citizen, they have loved ones, responsibilities, and expenses.

In my estimation there is no adequate amount of compensation for what the officers of today are asked to do. No one becomes a cop to get rich. That being said, there is such a thing as adequate compensation - and our community falls short.

The incentives outlined in this proposal will not be the highest in the area, but they show appreciation and understanding for the men and women of law enforcement and can go a long way toward retaining good officers. Dedication is a two-way street. While we may not be able to offer the most, we must do what we can.

Even for those who choose to ignore what an officer faces - and are concerned only about budgets - there is something to like here. These incentives will likely pay for themselves simply by reducing the amount of overtime paid for shifts that would normally be straight time.

Having a professional police department is not a given, it must be cultivated.

al.warner@outlook.com

From: Al Warner
Sent: Monday, December 4, 2023 4:29 PM
To: Gdzujna@franklinnh.org; Jay Chandler (JChandler@franklinnh.org); tstarkweather@franklinnh.org; ozink@franklinnh.org; vribas@franklinnh.org; rdesrochers@franklinnh.org; lwebb@franklinnh.org; vblake@franklinnh.org; ptrudel@franklinnh.org
Subject: Dec. 4, 2023 Agenda Items 7 & 8

Hello,

I wanted to address the MOA and the two grants to be discussed tonight in agenda items 7 and 8. According to the packet, the MOA in item 7 is to facilitate the grants to be applied for in item 8. My concern is with any obligations, implicit or otherwise that may pertain to the two grants. I would like to know what matching funds, if any, may be required by those grants and the total estimated cost of work to be covered by those grant funds. Although matching funds may not be required, any costs beyond the funding supplied by the grants would represent an obligation to expend funds. Do we have funds budgeted for said work or should this be part of the discussion on whether to apply?

At first glance, an offer for "free" money is attractive, but it can carry its own burden. I call to your attention to the Trestle situation and wonder if we will hear an update on how the City will be able to fund Franklin's 20% of the solution? It would be reckless to proceed at full speed into one situation without reasonable assurances that the first is covered.

Al Warner
al.warner@outlook.com
Ward 3
Franklin, NH

Gmail

Myla Everett <robamieva@gmail.com>

City Council Letter

1 message

Marie Danforth <mmariedanforth@gmail.com>
To: Mom <robamieva@gmail.com>

Tue, Dec 5, 2023 at 12:15 AM

Thank you Madame Mayor and Councilors,

I respectfully and strongly encourage the City Council to table the vote on the Memorandum of Agreement with the Mill City Park until the incoming City Council is in place.

The incoming City Council will be responsible for any decisions made tonight by the sitting City Council. This is a highly controversial topic for the City of Franklin. The outcome of this decision (for or against) will most assuredly produce pushback from residents.

The incoming City Council will be left to address this pushback. How can the new City Council defend a decision they were not involved in making? Considering the extreme controversy on both sides of this issue, shouldn't the citizens of

Franklin be involved in this decision?

In addition, I want to remind the City Council that anyone on the City Council involved with the management of Mill City Park should recuse themselves from any vote involving the Mill City Park.

Thank you for considering my views on this agenda item.

Myla Marie Danforth

Myla Everett

Dear Mayor Brown, City Council and City Manager Milner,

I apologize for not being present at tonight's meeting to engage in public comment myself. Unfortunately, I had emergency surgery last week and have been put on bedrest. However, be assured, I am doing my best to stay abreast of current events. I would like to voice my concern for the "MOU's" included on the agenda this evening. I would request they be tabled as I feel with 2 new councilors, a new mayor and different committee assignments, the residents would be best served enjoying continuity. These agreements will also benefit the non-profits involved as it will encourage the establishment of rapports with the newly elected.

The current "Commitment for Continued Collaboration" between the City of Franklin, FBIDC and Mill City Park was expired in September of 2022 and while a well-written document, its active use exposed some limitations and omissions that require address in order to be a truly collaborative agreement between the three parties.

I would also suggest the City Council review the language of the City Charter Chapter 77, Planning Board. The language within the charter supports the economic development that is currently being mis-handled by City Manager Judie Milner. All economic development, by charter law, should be discussed among this specific committee under the rules and regulations ratified to shield the City of Franklin from liability and to oversee that ethical behavior is maintained. The current "Economic Development Task Force" privately formed by City Manager Judie Milner, exposes not only the individuals on this unvetted entity, but also the taxpayer and those we hope to engage in future economic relationships with. Some of the specific rules of the Planning Board as required by our charter are absent from the "Economic Development Task Force". Those are that all members be residents and also the requirement of regularly scheduled meeting and the provision of minutes. To dismiss any forthcoming argument that The Economic Development Task Force is required to maintain a level of "secrecy" as described by a member of this team, to protect potential investors. I would remind all who echo that sentiment that is why we have non-public sessions. The City Charter Chapter 77-11 states "The Board shall have the authority to make such investigations, maps, reports and recommendations in connection therewith relating to the planning and development of the city as it deems advisable. It shall be the duty of the Board to consult with and advise public officials and agencies, public utility companies, civic, educational, professional, research and other organizations and citizens in relation to the protecting or carrying out of the Master Plan and to make recommendations relating to the development of the city." This language not only invalidates the existence of Judie Milner's Task Force but advises the Council that your City Manager has been operating outside her scope. Please make arrangements to address this immediately.

Finally, with regard to the mayor and councilor appointments listed in today's agenda, I would ask that you follow the charter and leave those appointments to the year they expire, 2024. It is a gross overstep of authority and will certainly cause problems for all involved. Let's end things on a good note.

Desiree McLaughlin
Mayor-Elect

Gmail

Valerie Blake <vplblake@gmail.com>

Fwd: December vote on MCP

1 message

Valerie Blake <VBlake@franklinnh.org>
To: Valerie Blake <vplblake@gmail.com>

Mon, Dec 4, 2023 at 9:18 AM

Valerie P. Blake, Ward 3 Councilor
6 Dumont Avenue
Franklin, NH 03235
603.671.7353 H
603.674.8812 C

From: Kathleen Lauer-Rago <TXKATLR@msn.com>
Sent: Friday, December 1, 2023 3:55:57 PM
To: Valerie Blake <VBlake@franklinnh.org>
Subject: December vote on MCP

You don't often get email from txkatlr@msn.com. Learn why this is important

Councilor Blake,
I am writing to ask you to recuse yourself from any votes next week regarding the Mill City Park since you are on the Board of Directors of the Park.
Thank you,
Kathy Rago
Ward 3

Sent from Mail for Windows

George Dzujna

From: Dan Trombly <dant8428@gmail.com>
Sent: Thursday, November 30, 2023 8:34 AM
To: George Dzujna
Subject: Mill city park

[You don't often get email from dant8428@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

Dear Mr. Dzujne
I encourage you to vote no on any matters to do with Mill city park at this time. We as tax payers need our employees working on other issues at this time.

Thank you

Dan Trombly
PO Box 571
6Webster Ave
Franklin,NH 03235
Dant8428@gmail.com
802-535-5003 C

Compose

From: Gary Auger <christianrepair@msn.com>
Sent: Friday, December 1, 2023 7:55:35 AM
To: Leigh Webb <LWebb@franklinnh.org>; Valerie Blake <VBlake@franklinnh.org>; Paul Trudel <PTrudel@franklinnh.org>
Subject: The renewing of the memorandum of agreement with MCP

Some people who received this message don't often get email from christianrepair@msn.com. Learn why this is important

To My Councilors

This is Debbie Auger of ward 3, I'm asking that the vote on renewing of the memorandum of agreement with MCP be p people are sworn in in January. I feel this is an important vote and that the outgoing councilors should not vote on this, The want some changes and I'm asking that you let the people that the city elected make this decision.

I also know that this is not a vote that Councilor Blake should be a part of at all.

P.S I would like this read into the minutes of the city council meeting.

Thank you for your time
Debbie Auger

postpone until city has 5 ppl

December 4, 2023

To: Councilors of Wards 1, 2, and 3

Re: **MOA between the City and Mill City Park**

From: Maureen D. Aube, Ward 3

19 Mountain View Drive, Franklin

.603-520-2523

Even though I reside in Ward 3, I believe that all of you represent me. The decisions you make impact all the residents of the City of Franklin.

I have been a resident of Franklin since 1968. Sadly, I have witnessed its economic decline which has severely impacted our city's infrastructure, municipal departments, municipal services and schools. Now, I am witnessing its regrowth in the downtown area – all due to the Mill City Park. I want this re-growth to continue.

I request that all city councilors **re-affirm the 9/13/2017 MOV between the City and Mill City Park through 9/30/2027.**

Maureen D. Aube, Ward 3

Dear Councilors and Mayor Brown:

I hoped to be able to attend tonight's City Council meeting in order to speak up in support of the renewal of the City's Memorandum of Agreement with Mill City Park, but I am unable to attend due to a prior engagement. I hope you will all take the time to read this, and perhaps to share my thoughts with those who are able to attend the meeting in person.

For those who I have not yet had the pleasure to meet, my name is Frank Genus. I am an attorney and father of six children (2 of whom were born right here in Franklin at our home on Beech Street!). I moved my law practice and my family to Franklin from Philadelphia three years ago.

We had many choices when we were looking for a new home in New Hampshire in the Fall of 2020. We considered homes in several cities and towns, such as Portsmouth, Exeter, New Durham, Wolfeboro, and Jaffrey. We proudly chose Franklin as our forever home for several reasons, including its beauty, the ease of access to outdoor activities, its charming and walkable downtown, its impressive history, its many long-time residents, and its fierce sense of civic pride. My wife literally broke out in tears as we drove over the bridge onto downtown Central Street to place a bid on our new home, as she immediately recognized this City as the place where she wanted to continue to raise our family.

Even more important to our decision, however, was what we believed was the commitment of the City and the residents to a revitalization based on community and family. So much urban renewal these days, at least where we are from, is based solely around nightlife and young, single professionals who will come and go. We strongly believe the planned Mill City Park is an important cornerstone project that will lead to increased investment and interest in the city, leading in turn to stronger businesses, residents, families, and community involvement.

Indeed, it already has! We've watched with pride and excitement as the continuing development and buzz around Mill City Park has spurred on further investment and development in Franklin. We've been delighted to see the new restaurants, businesses, and apartments moving in as work on the park continues, and more importantly, how those new folks are working closely with those whose families and businesses have been here for generations to better our City.

We are looking forward to the park's completion (especially the features designed for children and teens, like the water play areas, natural play areas, and bike pump track), and we are hoping for a downtown full of small, mom-and-pop businesses and services to which our children can walk and patronize with their friends as they grow, just like my wife and I were able to do when we were young. We hope the Council will renew the Memorandum to allow the folks behind Mill City Park and the rest of the City to move forward together on this important project.

Yours truly,

Frank Genus

December 4th, 2023

Franklin City Council
316 Central St
Franklin, NH 03235

Dear Council Members,

We are writing to express our support to renew the agreement between the City of Franklin and Mill City Park.

We believe progress on the park needs to continue for the future of the city, its businesses, and its citizens. We also believe it would be foolhardy for the city not to extend the agreement as the city would have to assume the costs of maintenance and stewardship on the land at a time when the budget is already strained.

Thank you for your time and consideration.

Respectfully,

Damon and Megan Lewis (ward 3)
Vulgar Brewing Company

T: 603.333.1439 | E: hello@vulgarbrewing.com | A: 378 Central Street, Franklin, NH 03235

Good Evening
Bob Lucas, Ward I Please include in minutes (3pg)

THANK YOU MADAM MAYOR, CITY COUNCILLORS, CITY MANAGER, FELLOW CITIZENS AND OTHERS AND HAPPY HOLIDAYS TO ALL.

I'D LIKE TO ADDRESS TWO ISSUES....

1. I SUPPORT SIGNING THE MOU BETWEEN THE WHITE WATER PARK AND THE CITY OF FRANKLIN AND URGE ITS RENEWAL AS SOON AS POSSIBLE. PERSONALLY, I DON'T SEE A DOWNSIDE. WE'VE BEEN ASSURED THAT NO TAXPAYERS MONEY WILL BE USED FOR THE PROJECT, THAT GRANTS WILL BE MORE LIKELY TO BE AWARDED WHEN THE PARTNERSHIP EXISTS, AND THAT THE COUNCILLOR WHO HAD A DUAL ROLE HAS RESIGNED FROM THE WWP BOARD. NO NEED FOR RECUSAL.
2. TONIGHTS AGENDA INCLUDES A DISCUSSION ABOUT NEW WELCOME SIGNS. I'D LIKE TO SHARE A STORY WITH YOU AND A PLEA FOR SUPPORT. OVER 11 YEARS AGO AFTER MOVING TO THIS GREAT CITY, I WAS DOING A LITTLE GOOGLING, ANXIOUS TO LEARN MORE ABOUT FRANKLIN. I CAME ACROSS PICTURES OF TWO SIGNS THAT APPEARED TO BE FROM THE 1930's AND WERE LIKELY ERECTED ALONG RT. 3 COMING INTO AND LEAVING FRANKLIN. I HAVE CIRCULATED PICTURES AS THEY ARE WORTH 1000 WORDS. I ASKED AROUND TO SEE IF THESE MIGHT STILL EXIST AND WITH THE HELP OF LEIGH WEBB THE WERE LOCATED ! THEY WERE MOVED TO THE HISTORICAL SOCIETY FOR SAFEKEEPING BUT REMAIN THE PROPERTY OF THE CITY AND ITS RESIDENTS. UPON LOCATING THEM, I SHARED THIS NES WITH THE THEN CITY MANAGER, ELIZABETH DRAGON. I'VE ALSO SPOKEN WITH MS. MILNER ON AT LEAST TWO OCCASIONS ALONG WITH A FEW EMAILS SEEKING SUPPORT IN REERECTING THESE SIGNS SOMEWHERE DOWNTOWN FOR THEIR HISTORICAL SIGNIFICANCE AND FOR THE ENJOYMENT OF A LARGER "AUDIENCE". I'VE ALSO DISCUSSED THIS WITH JIM ABERG FROM FBIDC AND HE AND HIS TEAM SUPPORT THIS AS PART OF THE LARGER SIGN INITIATIVE. THESE SIGNS CAN BE MOUNTED IN SUCH A WAY TO MINIMIZE THE LIKELIHOOD OF VANDALISM. I BELIEVE THAT RE-ERECTING THESE SIGNS TIES RIGHT IN WITH DOWNTOWN REVITALIZATION. TONIGHT, I ASK YOUR SUPPORT IN FACILITATING THE PUBLIC WORKS STAFF AND TAKING ADVANTAGE OF THE OFFER TO FUND THE PROJECT UP TO $500 ADVANCED BY THE FBIDC.
3. THANK YOU FOR YOUR TIME, CONSIDERATION AND ANTICIPATED SUPPORT.

TO YOU WHO HAVE VISITED US:-
WE HOPE YOU HAVE ENJOYED YOUR VISIT WITH US AND THAT WE MAY PART AS FRIENDS. MAY SUCH PLEASANT MEMORIES OF OUR CITY EXIST WITH YOU THAT WE MAY HAVE AN OPPORTUNITY TO WELCOME YOU BACK. GOOD LUCK TO YOU TILL WE MEET AGAIN.
CITY OF FRANKLIN, N. H.
Come Again!
Franklin
Chamber of Commerce.

THE CITY OF FRANKLIN
GREETS YOU
BIDE AWHILE WITH US. OBSERVE THE BEAUTY AND ADVANTAGES OF OUR NATURAL SURROUNDINGS. ACQUAINT YOURSELF WITH OUR AIMS FOR HOMES, CHURCHES, SCHOOLS, INDUSTRIES, BUSINESS AND A HAPPY AND USEFUL LIFE. WHILE YOU ARE WITH US AND WHEN YOU GO AWAY, PONDER ON OUR MOTTO:-
"WE STRIVE AMONG THE COMMON THINGS OF LIFE TO REACH THE EVERLASTING RIGHT"

Franklin Reading Assessment Cohort Scores
% Proficient

	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9	Grade 10	Grade 11
Class of 2032	4%						No Testing	No Testing	
Class of 2031	15%	19%							
Class of 2030	23%	7%	20%						
Class of 2029	*	23%	27%	32%					
Class of 2028		*	27%	25%	35%				
Classof 2027			*	32%	26%	28%			
Class of 2026				*	35%	31%			
Class of 2025					*	37%			
Class of 2024						*			32%
Class of 2023									36%
Class of 2022									37%

*19-20 no testing Covid

22-23 test scores

Franklin Math Assessment Cohort Scores
% Proficient

	Grade 3	Grade 4	Grade 5	Grade 6	Grade 7	Grade 8	Grade 9	Grade 10	Grade 11
Class of 2032	10%						no testing	no testing	
Class of 2031	24%	15%							
Class of 2030	20%	6%	10%						
Class of 2029	*	10%	11%	17%					
Class of 2028		*	2%	10%	16%				
Classof 2027			*	11%	18%	17%			
Class of 2026				*	13%	20%			
Class of 2025					*	20%			
Class of 2024						20%			5%
Class of 2023									10%
Class of 2022									29%

* 19-20 no testing Covid

22-23 test scores

City Council Meeting Minutes
Thursday, December 14th, 2023 - 6:30 p.m.
Franklin Lodge of Elks

Council in attendance: Mayor Jo Brown, Councilor Jay Chandler, Councilor Leigh Webb, Councilor Bob Desrochers, Councilor George Dzujna, Councilor Valerie Blake, Councilor Paul Trudel, Councilor Vince Ribas, Councilor Ted Starkweather and Councilor Olivia Zink

Absent: None

Others in attendance: City Manager Judie Milner, Police Chief David Goldstein and members of the public.

Mayor Brown called the meeting to order at 6:31 p.m.

Salute to the Flag was led by Councilor Desrochers.

Item I & Item II were taken off of the agenda.

Milner stated that before agenda item III, they were in need of a nonpublic session.

Motion – Councilor Ribas moved that the Franklin City Council enter into nonpublic according to RSA 91-A:3, II(a) The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, *unless* the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.

Councilor Trudel asked to make another motion before going into nonpublic:

Motion – Councilor Trudel moved that the Franklin City Council votes to release the draft copy of the engineering study that pertains to the life safety and other structural updates to City Hall by a roll call vote. Seconded by Councilor Desrochers.

Mayor Brown stated that she is not sure it is in the best interest of the city to release a draft report. She thinks it would be best if the council were able to review the content before releasing to the public.

Councilor Trudel believes that the taxpayers that have paid for this report to be drafted should be able to view it. There have been multiple requests for it and he asked that the council take a roll call vote on releasing now or postponing until they have a final report after the holidays.

Councilor Webb called point of order stating that there was already a motion on the table and that needs to be voted on first. Councilor Trudel stated that he was not withdrawing his motion.

Councilor Desrochers added that sometimes something being legal is not always ethical. He believes that the public deserves to see the draft report and that the council should at least vote on it.

Councilor Webb asked the City Manager to let them know if there is anything in the report that should be kept as nonpublic information at this time. Milner stated that she doesn't think so, but there were assumptions made in the report that should not have been made. This is why the professional staff reviews things in draft and brings them to the council in final form. That is why she held back on releasing this draft, so that she doesn't cause any confusion with the public of what was right or what was wrong on the report, hence draft.

No other discussion ensued.

By a roll call vote.

Roll Call:

Councilor Blake	**no**	**Councilor Desrochers**	**yes**	**Councilor Starkweather**	**yes**
Councilor Webb	**yes**	**Councilor Dzujna**	**no**	**Councilor Trudel**	**yes**
Councilor Chandler	**no**	**Councilor Ribas**	**yes**	**Councilor Zink**	**yes**

6 in favor; 3 opposed. Motion PASSED

Mayor Brown stated that they were going back to the original motion to go into a nonpublic.

Seconded by Councilor Zink.

Councilor Trudel requested that any councilor-elected officials and the mayor-elect be able to sit in on the nonpublic session as well.

By a roll call vote.

Roll Call:

Councilor Blake	**yes**	**Councilor Desrochers**	**yes**	**Councilor Starkweather**	**yes**
Councilor Webb	**yes**	**Councilor Dzujna**	**yes**	**Councilor Trudel**	**yes**
Councilor Chandler	**yes**	**Councilor Ribas**	**yes**	**Councilor Zink**	**yes**

All in favor. Motion PASSED

Entered into nonpublic at 6:43 p.m.

Motion – Councilor Zink moved to leave nonpublic session and return to public session. Seconded by Councilor Ribas.

All in favor. Motion PASSED

Public Session reconvened at 7:15 p.m.

Motion — Councilor Ribas moved to seal the minutes. Seconded by Councilor Trudel.

By a roll call vote.

Roll Call:

Councilor Blake	yes	**Councilor Desrochers**	yes	**Councilor Starkweather**	yes
Councilor Webb	yes	**Councilor Dzujna**	yes	**Councilor Trudel**	yes
Councilor Chandler	yes	**Councilor Ribas**	yes	**Councilor Zink**	yes

All in favor. Motion PASSED

Councilor Ribas stated that city employees have expressed their concerns about lack of civility in their offices and their safety.

Motion - Councilor Ribas moved that the Franklin City Council authorize the city manager to purchase and place signage in all city buildings and to present the council with a draft policy about the lack of civility issues at the next city council meeting. Seconded by Councilor Webb.

All in favor; motion PASSED.

Councilor Trudel did want to let the public know where they can get access to the draft report on City Hall, as that had been passed. Milner stated that it is available to view at City Hall.

Councilor Webb added that there are some circulated theories on social media, but he would like to clear one of them up. One of the councilors resigned from a board and announced it at a city public meeting and was challenged. When Councilor Blake made that statement, he did not doubt her and said that he considers her as honorable. It should have never been questioned after the fact.

Councilor Chandler addressed the public on the motion to have the city manager purchase and place signage in all city buildings. This is due to people being extremely rude to city staff when they come up to a window because they are upset. It is never ok to swear or verbally attack a city employee so they approved signage stating that there would be no tolerance for that.

Agenda Item III.
Meet & Greet with the Franklin Opera House board.

Mayor Brown invited the Franklin Opera House board to come up and have a seat.

The Opera House board introduced themselves:

Dan Darling, executive Director
Jeff Perkins, President
Chris Seufert, Vice President
Judith Ackerson, Treasurer
Jule Finley, Board Member
Val Perkins, Board Member
Denise Steadman, Board Member
Carol Hodgdon, Board Member
Maureen Aube, Board Member
Sue Bitetto, Board Member

Jule Finley started off by saying that she didn't know that this meet & greet would be a city council meeting and that was not their intent. The board's intent was to have a casual and honest discussion with the old and new council members.

There was a discussion about how this set up felt like an "us against them" approach. The council assured the board that this wasn't the case. The meet & greet needed to be done in a public meeting due to the nature of city business being discussed with the council. In the interest of transparency, it was decided that this needed to be done as a public meeting as well.

The board wanted to clear up some misconceptions and things floating around social media. Finley could not remember what all of them are, but she does think that not a lot of people are aware of the impact that the Franklin Opera House has had on our kids.

- One misconception is the number of kids that go through the Opera House. There are definitely more than 30 kids that go through the Opera House. It has also been a home and a safe haven for very many kids.
- Another misconception that she has seen is that the taxpayers support the Opera House. This is completely untrue. The Opera House fully supports itself with grants, donations, and ticket sales. The utilities and repairs to the stage and all other improvements have been paid for by the Opera House. Tax payers do not fund the Opera House.

Jeff Perkins went over a handout that he passed out to the council and there was a discussion about the numbers he provided. This is attached to the end of the minutes.

Dan Darling did mention that there are many grants that the Opera House can apply for, however, they need solid info from the architect's report and firm budget numbers before they are able to apply. His next deadline is in April.

The big question from the Opera House is what is the hold up on getting the cost of repairs and to get everything started?

Milner explained the process for repairing the Opera House/City Hall so that they can have an assembly permit again. The council approved the city to use an architectural firm who subbed out the electric, HVAC, engineers, etc. and they came up with an existing conditions report, which is the preliminary report the city now has. This report not only addresses the fire code issues, but also efficient use of space and things like having enough bathrooms for the amount of people in

the building. This draft report from the architects needs some revisions. The engineer has been given direction on what changes to make. The final report will be presented to the council with a few options and then funding will need to be discussed before going ahead with construction. An RFP for a GC will also need to go out as well. These things should be discussed with the Opera House as well, since it affects that piece as well.

Also, Milner stated that she has an economic development team that writes a lot of grants and she will be more than happy to have them assist the Opera House in writing grants. She added that they are the operation in the building that will get the grants, unlike City Hall, which cannot be funded by any grants. The numbers that Jule Finley provided will make for a very strong application. Milner is also looking for a much bigger grant and is going for the half a million-dollar CDBG grant for the Opera House and maybe some preservation stuff as well.
That is where they are at right now. Securing the architect was important since the grantors want to see numbers that are not made up by the Opera House and something legitimate showing what portion is only for the Opera House so the grantors know they are not funding city business. That is also part of the report. Because they will be going for federal grants, they are going to have to go through the federal RFP process to get a contractor in.

Jule Finley did let the council know that they are losing money since being out of the Opera House, since they are not able to accommodate the same size audience at the temporary locations. The Opera House could hold more people; hence they had more revenue in ticket sales. Footlight Theatre is also losing revenue as well. She stated that the downtown businesses are also losing some business during/after shows, since not being able to use the Opera House for shows.

Additional discussion was had and finally concluded, as both the City Council and the Opera House were able to speak about concerns and what the next steps will be. The council voiced their support for everything that the Opera House board does for the community, the kids and the building and agree that they all need to work together to get to the final goal of the building.

ADJOURNMENT:

Motion to adjourn was made by Councilor Zink and seconded by Councilor Trudel.
All in favor. Motion PASSED.

The meeting adjourned at 8:19 p.m.

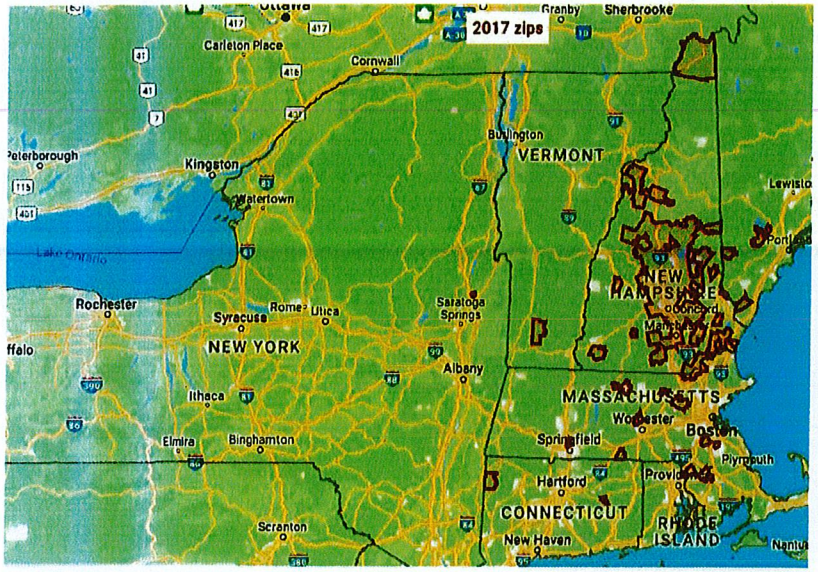
Respectfully submitted,

Lisa A. Jones
Executive Secretary

FRANKLIN OPERA HOUSE
Arts and Entertainment Center

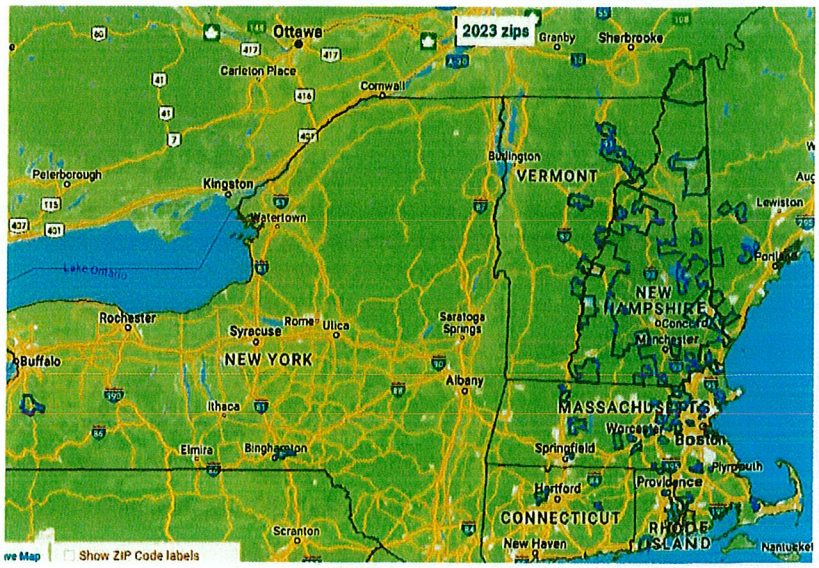
Geographic Reach

In the 2017-2018 season, online ticket buyers came from 97 zip codes.



In the most recent season, online ticket buyers came from 225 zip codes.

That's a
132% increase
in audience reach!



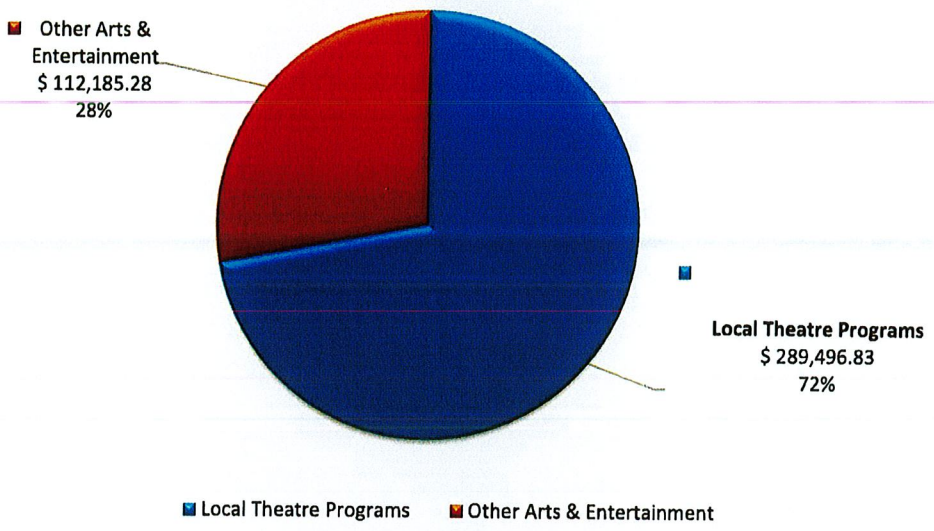
Opera House usage:

75% Community Theatre and School Drama.

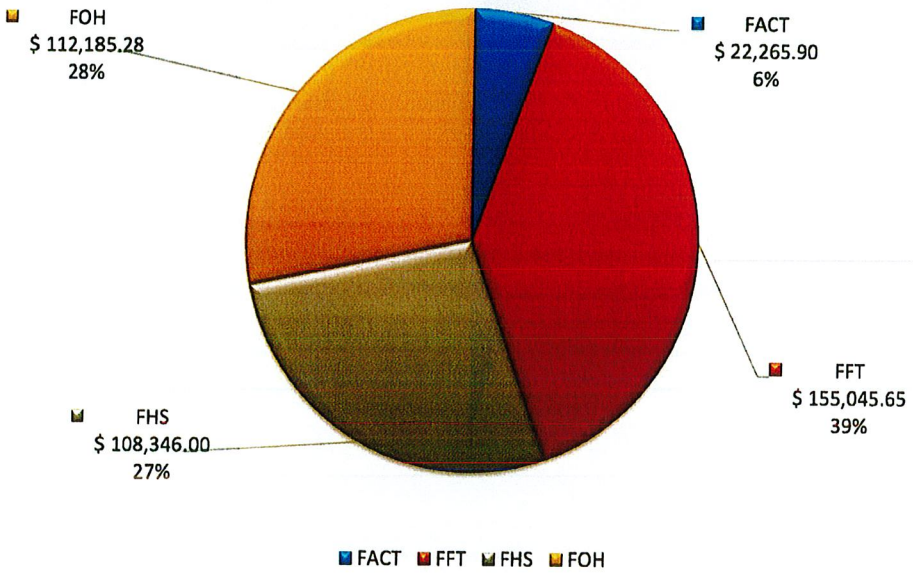
10% Visiting artists hired by Franklin Opera House, Inc.

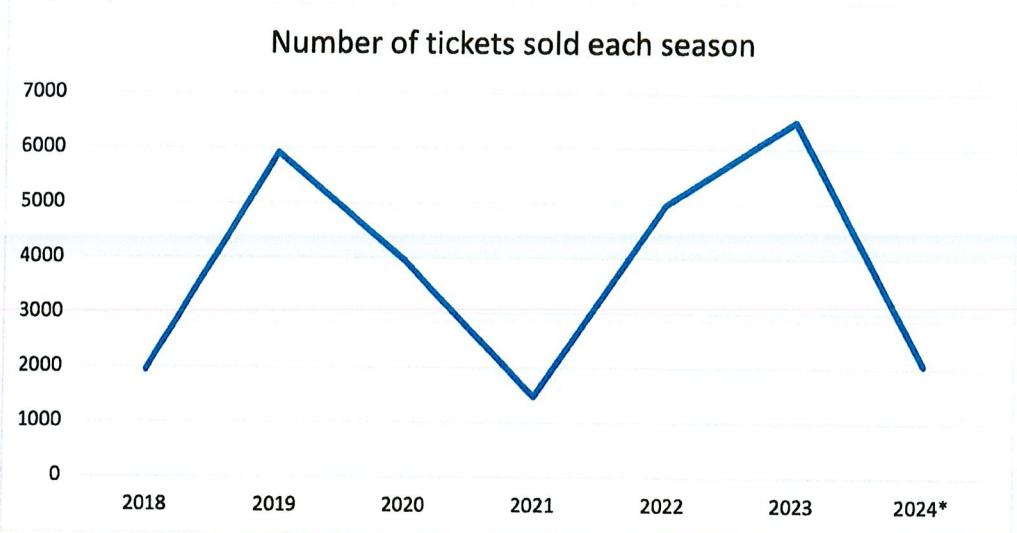
15% City meetings.

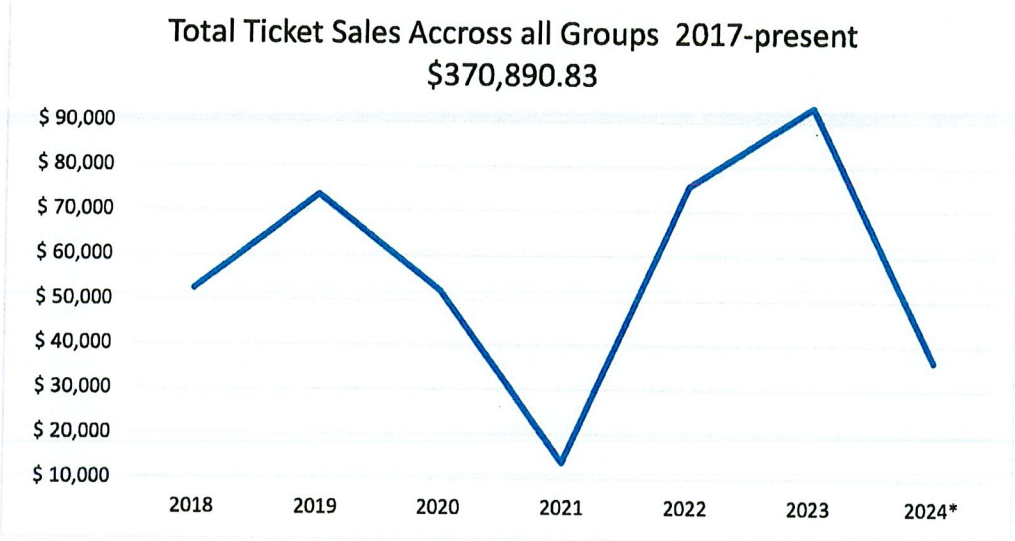
Community Programs vs Visiting Artists

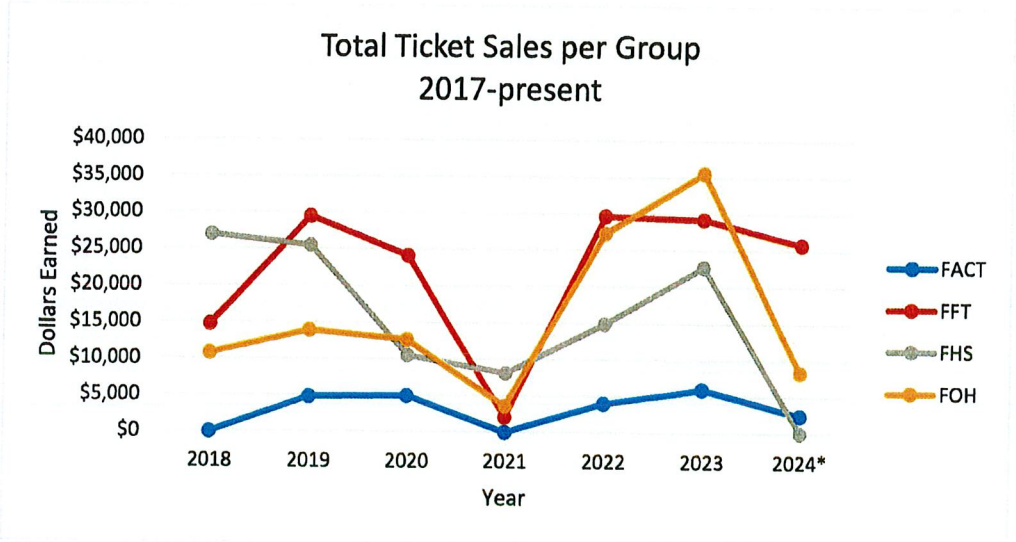


Total Ticket Sales 2017-2023




Number of tickets sold each season
7000
6000
5000
4000
3000
2000
1000
0
2018
2019
2020
2021
2022
2023
2024*


Total Ticket Sales Accross all Groups 2017-present
$370,890.83
$ 90,000
$ 80,000
$ 70,000
$ 60,000
$ 50,000
$ 40,000
$ 30,000
$ 20,000
$ 10,000
2018
2019
2020
2021
2022
2023
2024*


Total Ticket Sales per Group
2017-present
$40,000
$35,000
$30,000
$25,000
$20,000
$15,000
$10,000
$5,000
$0
Dollars Earned
2018
2019
2020
2021
2022
2023
2024*
Year
FACT
FFT
FHS
FOH

Effect on Local Business

Some local businesses were asked if they have noticed a difference in patronage since the last show at the Opera House in July. Here's what they had to say.

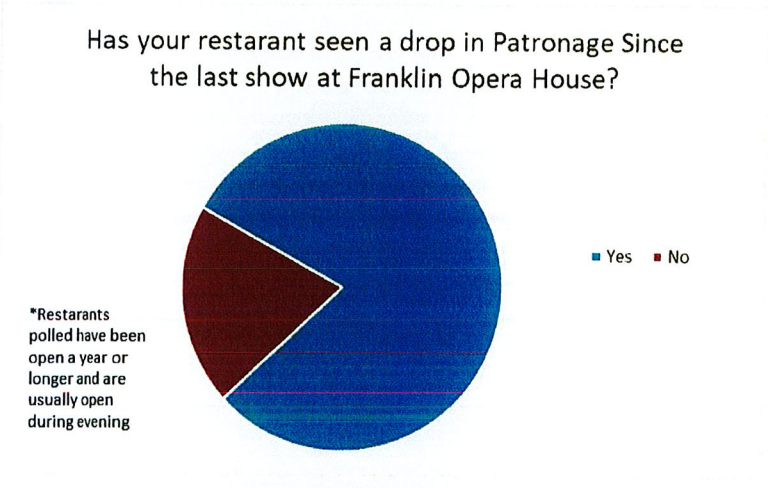
Waterhorse Irish Pub: "Definitely busy before and after Beauty & the Beast. Not terribly busy during Addams Family, before or after. Not necessarily a decrease but definitely NOT an increase over the summer into fall. People could come to get a drink, then go to the show, like with "Beauty & the Beast." - Douglas (Host/Waitstaff)-

Asian Delight: When there is a show, people would come in before a show to eat. Definitely a slowdown since August. -Jin (Owner)-

Al's Village Pizza: "Not seen a decrease" -Al (owner)

Vulgar Brewing: "As far as Friday and Saturday Night dinner rushes, all the bartenders and waitstaff have noticed a definite drop in patronage, compared to when a show is running." -Zach (Bartender)

Kettlehead: "Yes. Since September, we have seen a drop. During events, people would come in before and after the show." -Anthony (Bartender/Waitstaff)



2023 CITY COUNCIL MEETING
AGENDA ITEM II

CITY OF FRANKLIN
COUNCIL AGENDA REPORT
January 8th, 2024

Subject: **Council to consider setting a public hearing on ordinance 06-24, Code of Conduct for Elected Officials and Appointed Board Members.**

Suggested Motions:

December 4, 2023
(reminder this can be in title only)

Councilor moves, "I move that the Franklin City Council set a public hearing for 6pm on Monday, January 8, 2024, regarding the adoption of Ordinance 06-24 Code of Conduct for Elected Officials and Appointed Board Members.".

Mayor calls for a second, discussion and vote.

January 8, 2024
Councilor moves, "I move that the Franklin City Council adopt Ordinance 06-24 Code of Conduct for Elected Officials and Appointed Board Members.".

Mayor calls for a second, discussion and roll call vote.

History:
This is a current policy not city code. Last review was 2/1/21, last change 9/8/15.

At 1/3/22 inaugural meeting code of ethics was referred to legislative committee for review and codification recommendation.

Legislative committees (2/22/22 & 3/1/23) have recommended keeping the code of conduct as a policy and not codifying the code of conduct.

Council sent the code of conduct back to legislative committee at the April 3, 2023 meeting to consider codification again. The legislative committee met on May 16, 2023 and recommended to adopt the code of conduct as a policy not to codify.

July 10, 2023 City Council directed to have code of conduct codified by ordinance.

Attachment:
Ordinance 06-24

CITY OF FRANKLIN, NEW HAMPSHIRE

"The Three Rivers City"

316 Central Street
Franklin, NH 03235

(603) 934-3900
fax:(603) 934-7413

ORDINANCE #06-24

AN AMENDMENT TO THE FRANKLIN MUNICIPAL CODE:

In the Year of our Lord, Two Thousand Twenty-Four;

Be it ordained by the City Council of the City of Franklin add Chapter 308, Code of Conduct for Elected Officials and Appointed Board Members, to the Franklin Municipal Code as follows:

CHAPTER 308 CODE OF CONDUCT FOR ELECTED OFFICIALS AND APPOINTED BOARD MEMBERS

308-1 PREFACE

The purpose of the Code of Conduct is to assist Elected officials and appointed board members in performing their duties for the public. The Code of Conduct is a guide for the members to follow during their term in office. This Code does not reduce the authority granted to Elected officials and appointed board members by the laws of the United States and the State of New Hampshire, as well as the Charter for the City of Franklin.

We remember that we are, first and foremost, servants of the people and treat them with the highest respect and dignity in our public meetings and outside of those meetings. Further, Franklin's public officials should educate themselves on the requirements of the law and ordinances to ensure that they are never using their position to avoid either.

The Code of Conduct will be distributed to all City Council and board members annually in January, and new board members as they are appointed during the year.

308-2 ATTENDANCE

Elected officials and appointed board members should make every effort to notify the mayor, or City Manager (in the case of the City Council), or the Chairman of their respective board, if they will be unable to attend or will be late to a meeting. In the event a member needs to leave a meeting, while the meeting is in session, the member should receive acknowledgement of their departure from the presiding officer.

308-3 CONDUCT AS A PUBLIC OFFICIAL

Public service is a public trust, requiring elected officials and appointed board members to place loyalty to the constitution of the United States and the New Hampshire Constitution, federal and state laws, city ordinances and Charter provisions and ethical principles above private gain for themselves or others.

Elected officials and appointed board members shall not, except as otherwise permitted by ordinance, solicit or accept any gift, service or favor from any person or entity seeking official action from, doing business with, or conducting activities regulated by the City of Franklin, whose interests may be affected by the performance or non-performance of the elected official's or appointed board member's duties.

Elected officials and appointed board members shall never discriminate unfairly by the dispensing of special favors or privileges to anyone, whether for remuneration or not; and never accept favors or benefits under circumstances which might be construed as influencing the performance of their public duties.

Elected officials and appointed board members shall put forth honest effort in the performance of the public duties, remaining impartial and responsible to the public.

Elected officials and appointed board members shall make no promises of any kind binding upon the duties of their office, since an elected official or appointed board member only have authority to make binding decisions, when voting at a legally posted meeting of their board or committee, when a quorum is in attendance.

Elected officials and appointed board members shall not interfere with the powers and duties of the City Manager, as set forth in the Franklin City Charter, or interfere with the powers and duties of the Superintendent of Schools, as set forth by the laws in the State of New Hampshire. Interference by elected officials or appointed board members with the City Manager or Superintendent's powers and duties could constitute immediate forfeiture of their office and criminal charges.

308-4 CONDUCT AT MEETINGS

At City meetings a councilor or board member shall be recognized to speak by the mayor or chair or in his/her absence the person appointed by the Mayor/Chair. The behavior of an elected official/board member both in public and in private should reflect the trust placed in them as leaders of the community.

The goal of a Franklin elected official or board member is to provide the highest quality leadership for all its citizens, to be fiscally responsible and to be dedicated while listening to the needs of others.

308-5 CONFLICT OF INTEREST

Elected officials and appointed board members of the City of Franklin shall avoid conflicts of interest when conducting City business – even the appearance of a conflict of interest.

State law demands that City officials, and board members, not participate in any matter in which they (or a member of their family) have a personal interest, which may directly or indirectly influence the impartial performance of their duties. In such instances, officials shall recuse themselves from discussion and decision-making.
If an elected or appointed office holder insists upon participation when there is a clear and serious conflict of interest, the Franklin City Council will consider this misconduct and may take corrective action allowable under State law and the City Charter.

Recusal means to remove oneself completely from all further participation in the matter. In the setting of a meeting, an official or board member who has been recused shall immediately leave the meeting room or seat themselves with other members of the public who are present. The person recused shall not participate in further discussions, unless it is clearly stated for the record that such comments are made only as a member of the public. A recused person may not deliberate or vote on the matter in question.

Immediate uncertainty about conflicts and recusal can be resolved by majority vote of the board or committee. Any such vote would be non-binding, but can assist the official's decision regarding participation.

308-6 LEGAL COMMUNICATIONS

Designate legal counsel shall attend any meetings of the Council when requested by the Mayor or City Manager. Any member of the Council (through the City Manager when possible) may call upon Counsel for an oral or written opinion to decide any question of law or parliamentary procedure.

All boards in the City of Franklin shall direct all communications to Counsel through the Chairperson of their respective boards, and the Chairperson shall go through the City Manager when possible.

Legal communications received from the City Attorney are not public information and will not be shared with the public unless authorized by the City Manager.

308-7 NON-PUBLIC SESSION

The meetings of all governmental bodies are open to the public, in accordance with the State of New Hampshire "Right-To-Know Law", RSA 91-A. There are occasions when governmental bodies need to conduct business in non-public sessions, as allowed under the provisions of RSA 91-A. The intent of non-public sessions, or "non-meetings" to meet with legal counsel are to allow for the governing bodies to discuss confidential information, that could affect someone's reputation, or releasing the information would make the action taken ineffectual.

The confidential information discussed, or actions taken in non-public sessions are to remain confidential. No elected official or appointed board member in the City of Franklin shall violate the confidentiality of non-public sessions by publicizing, gossiping or discussing the information acquired in the course of official duties without a legitimate reason to do so. No elected official or appointed board member in the City of Franklin shall use any confidential information acquired by virtue of the individual's official position for personal benefit, or for the benefit of any other person or business. This does not apply to information, which is readily available to the general public.

The misuse of confidential information by any elected official or appointed board member in the city of Franklin could lead to the forfeiture of their office, or even criminal charges.

308-8 SALE AND USE OF PUBLIC PROPERTY

Elected officials shall protect and conserve City property and services and shall not use them for other than authorized purposes or for personal benefit and or gain. No elected or appointed official shall devote any City property or labor to private use, except as may be provided by Law or Ordinance.

308-9 SEXUAL HARASSMENT

All officials and board members of the City of Franklin are entitled to operate in an environment free of sexual harassment. History has shown that public entities are far from immune to this illegal behavior. This City is committed to preventing such misconduct. To accomplish these goals, the City's policy against sexual harassment shall be clearly communicated to all officials and board members. In addition, this policy will be reinforced through a complaint investigation procedure.

All complaints of sexual harassment or retaliation shall be promptly and thoroughly investigated by the City Manager or by the mayor or his/her appointed designee when necessary. While it can never be completely guaranteed, particular care shall be taken in the course of investigations to protect confidentiality. Should it be determined through investigation that an elected or appointed City official has committed sexual harassment; their immediate removal from office may be considered by the City Council. The reason for removal shall be brought to the attention of the Superior Court, who holds jurisdiction over removal proceedings.

308-10 CODE REVIEW

The Code of Conduct can be amended any time by the City Council. The Code should be reviewed by the City Council annually.

Effective January 1, 2024 by a roll call vote.

Roll Call:

Councilor Chandler	_____	Councilor Desrochers	_____	Councilor Webb	_____
Councilor Dzujna	_____	Councilor Blake	_____	Councilor Trudel	_____
Councilor Ribas	_____	Councilor Starkweather	_____	Councilor Zink	_____

Approved: _____
Mayor

Passed: _____

I certify that said vote has not been amended or repealed and remain in full force and effect as of the date of this Certification and that Michelle Stanyan is the City Clerk for the City of Franklin, Franklin, New Hampshire.
A true copy, attested: _____
City Clerk

Date: _____

CITY OF FRANKLIN
NOTICE OF PUBLIC HEARING & MEETING

In accordance with the provision of Chapter 31, Division 2 of the Franklin Municipal Code, notice is hereby given that the City of Franklin will hold a Public Hearing on Monday, January 8th, 2024 at 6:00p.m. at the Franklin Lodge of Elks regarding Ordinance #06-24, Code of Conduct for Elected Officials and Appointed Board Members.

Provisions for persons with special needs can be made by contacting the City Manager's office, via telephone or mail at least five days prior to the public hearing.

City of Franklin
316 Central Street
Franklin, NH 03235
(603) 934-3900

2023 CITY COUNCIL MEETING

AGENDA ITEM III

From: Judie Milner, City Manager

Subject: **Council to Consider setting a public hearing on Resolution 12-24 Appropriating CDBG grant for the Healthfirst Renovation/Addition Project.**

Suggested Motions:

December 4, 2023

Councilor moves, "I move that the Franklin City Council set a public hearing on Monday, January 8, 2024 at 6pm regarding resolution 12-24 accepting & appropriating $500,000 Community Development Block Grant Public Facility Funds received through Community Development Finance Authority for the Healthfirst Renovation/Addition Project.".

Mayor calls for a second, discussion and vote.

January 8, 2024

Councilor moves, "I move that the Franklin City Council adopts resolution 12-24 accepting & appropriating $500,000 Community Development Block Grant Public Facility Funds received through Community Development Finance Authority for the Healthfirst Renovation/Addition Project.".

Mayor calls for a second, discussion and roll call vote.

Discussion:

Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to $500,000 annually is available on a competitive basis for public facility projects, up to $500,000 for housing projects, up to $500,000 for economic development projects, and up to $500,000 annually is available for emergency activities. Up to $25,000 is available per planning study. All projects must primarily benefit low- and moderate-income persons.

This was an application to the Community Development Finance Authority for up to $500,000 in Community Development Block Grant Public Facility funds. The CDBG funds will be used for

Healthfirst Family Care Center, located at 841 Central Street in Franklin, NH toward financing improvements to the facility.

This project conforms with Franklin's Housing and Community Development Plan's Goal of:

Promote activities that protect the health and safety of residents and visitors (Short-term and Long-term goal)

Concurrences:

The Council unanimously voted to authorize the City Manager to apply for this grant at the June 5, 2023 City Council meeting.

Fiscal Impact:

The City will retain up to $30,000 for administration of the grant. The remaining will be sub-granted to Healthfirst for the renovation/addition project. Healthfirst is responsible for the matching funds.

Alternatives:

Do not appropriate.

Attachments/Exhibits:
Resolution 12-24
Award Letter

CITY OF FRANKLIN, NEW HAMPSHIRE

"The Three Rivers City"

316 Central Street
Franklin, NH 03235

Phone: (603) 934-3900
Fax: (603) 934-7413

RESOLUTION #12-24

A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2024.

In the year of our Lord, Two Thousand Twenty-Four,

WHEREAS, the City Council of the City of Franklin has adopted a budget for Fiscal Year 2024 which began July 1, 2023, and;

WHEREAS, the City Council of the City of Franklin, New Hampshire supported, at their June 5, 2023 City Council meeting, an application through Community Development Block Grant Public Facility Funds for Healthfirst Family Care renovation/addition project, and;

WHEREAS, the City Council of the City of Franklin acknowledges receipt of a Community Development Block Grant in the amount of $500,000 from the Community Development Finance Authority for the Healthfirst Renovation/Addition Project, **Now**

THEREFORE, BE IT RESOLVED, that at the scheduled meeting of the City Council on Monday, January 8, 2024, the City Council of the City of Franklin, New Hampshire does hereby adopt resolution 12-24 accepting the community development block grant in the amount of $500,000 from the Community Development Finance Authority and authorize the following non-lapsing appropriation:

An increase in revenue:

Federal Grants – CDBG Healthfirst Acct No. 14-9-012-33110-467 – Five Hundred Thousand Dollars ($500,000),

And an increase in expenditure:

Federal Grant Buildings – CDBG Healthfirst Account No. 14-9-012-40720-467 in the amount of Five Hundred Thousand Dollars ($500,000),

by a roll call vote.

Roll Call:

Councilor Chandler	_____	Councilor Desrochers	_____	Councilor Webb	_____
Councilor Dzujna	_____	Councilor Blake	_____	Councilor Trudel	_____
Councilor Ribas	_____	Councilor Starkweather	_____	Councilor Zink	_____

Approved: _____
Mayor

Passed: _____

I certify that said vote has not been amended or repealed and remain in full force and effect as of the date of this Certification and that Michelle Stanyan is the City Clerk for the City of Franklin, Franklin, New Hampshire.
A true copy, attested: _____
City Clerk

Date: _____

CDFA
COMMUNITY DEVELOPMENT FINANCE AUTHORITY

AWARD LETTER

November 8, 2023

Judie Milner, City Manager
City of Franklin
316 Central Street
Franklin, NH 03235

Dear Judie:

Congratulations! On November 2, 2023, the Community Development Advisory Committee of the New Hampshire Community Development Finance Authority (CDFA) recommended approval your CDBG application on behalf of HealthFirst Family Care Center in the amount of $500,000, contingent upon the following:

1. CDFA Board Approval
2. sufficient funds are available and allocated by HUD;
3. there is no impact to the project's score or rank due to the Administrative Review Procedure, which shall be completed within 30 days of Advisory Committee approval;
4. the project is able to secure all identified matching funds;
5. the use of funds conforms with HUD and State regulations; and
6. all other usual and customary CDBG contract terms.

Grant funds will be available to the project after the contract between CDFA and the municipality is approved by the Governor and Executive Council.

Please do not sign any vendor contracts or obligate any funds without CDFA approval, as there are federal requirements associated with these grant funds. These include, but are not limited to, the National Environmental Policy Act (NEPA), which **prohibits** the obligation or expenditure of project related CDBG and non-CDBG funds for activities with physical impacts or which limit the choice of alternatives until the environmental review process is completed and removal of environmental review grant conditions are received from CDFA.

If you submitted a Determination of Environmental Exemption and Request of Release of Funds as part of your application, this constitutes the removal of the Environmental Condition for noted exempt activities only. Please contact Chris Monroe at cmonroe@nhcdfa.org with any questions.

The Catalog of Federal Domestic Assistance number for HUD Community Development Block Grants - State Administered Community Development Block Grant Program is 14.228.

Sincerely,

Katherine Easterly Martey
Executive Director

KEM/ms

CITY OF FRANKLIN
NOTICE OF PUBLIC HEARING & MEETING

In accordance with the provision of Chapter 31, Division 2 of the Franklin Municipal Code, notice is hereby given that the City of Franklin will hold a Public Hearing on Monday, January 8th, 2024 at 6:00 p.m. at the Franklin Lodge of Elks regarding Resolution #12-24, accepting & appropriating $500,000 Community Development Block Grant Public Facility Funds received through Community Development Finance Authority for the Healthfirst Renovation/Addition Project.

Provisions for persons with special needs can be made by contacting the City Manager's office, via telephone or mail at least five days prior to the public hearing.

City of Franklin
316 Central Street
Franklin, NH 03235
(603) 934-3900

2023 CITY COUNCIL MEETING

AGENDA ITEM IV

CITY OF FRANKLIN
COUNCIL AGENDA REPORT
City Council Meeting January 8, 2024

From: Judie Milner, City Manager

Subject: City Council to consider the approval of the CDBG application submittal and authorization of the City Manager to sign and submit the CDBG application, and upon approval of the CDBG application, execute any documents, and approve the Anti-displacement and Relocation Assistance Plan.

Suggested Motions:

1) Councilor moves, "I move that the Franklin City Council approve the submittal of the CDBG application **and** vote to authorize the City Manager to sign and submit the CDBG application, and upon approval of the CDBG application, authorize the City Manager to execute any documents which may be necessary to effectuate the CDBG contract, and any amendments thereto."

Mayor asks for a second, discussion, and calls the vote.

2) Councilor moves, "I move the Franklin City Council adopt the Anti-displacement and Relocation Assistance Plan."

Mayor asks for a second, discussion, and calls the vote.

Discussion:

Community Development Block Grant funds are available to municipalities through the NH Community Development Finance Authority. Up to $500,000 annually is available for economic development projects, up to $500,000 for public facility projects, up to $500,000 for housing projects, up to $500,000 for emergency activities, and up to $25,000 is available per planning study grant. All CDBG projects must primarily benefit low- and moderate-income persons.

This is an application to the Community Development Finance Authority for up to $500,000 in Community Development Block Grant Public Facility funds. This is a proposed application to the Community Development Finance Authority for up to $500,000 in Community Development Block Grant public facility funds. The City will retain up to $30,000 for administrative/labor

compliance expenses and the remainder will be sub granted to Woodside Haven LLC for the rehabilitation of Franklin Woods, located at 11 Plains Court in Franklin, NH.

This project conforms with Franklin's Housing and Community Development Plan's Goal of:

Address issues of affordable housing (Short-term and Long-term goal)

An Anti-displacement and Relocation Assistance Plan is required for each project submitted to CDFA. The City's Housing and Community Development Plan is required by CDFA to be adopted at least every 3 years to apply for these grants. This document was last adopted June 5, 2023 in conjunction with the Healthfirst CDBG application.

Attachments:

Residential Antidisplacement and Relocation Assistance Plan
Public Handout

DISPLACEMENT AND RELOCATION CERTIFICATION
Franklin, NH
For Proposed Franklin Woods, 11 Plains Court, Franklin Rehabilitation Affordable Housing Project
RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN

Every effort will be made to avoid temporary or permanent displacement of an individual due to a CDBG project undertaken by the City of Franklin.

If relocation is required, the City of Franklin will comply with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, to any household, regardless of income which is involuntarily and permanently displaced.

If the property is acquired, but will not be used for low/moderate income housing under 104(d) of the Housing and Community Development Act of 1974, as amended, the displacement and relocation plan shall provide:

a. Comparable replacement housing in the community within three (3) years of the commencement date of the demolition or rehabilitation;

b. A description of the proposed activity;

c. The general location on a map and appropriate number of dwelling units by number of bedrooms that will be demolished or converted to a use other than as low and moderate income dwelling units as a direct result of the assisted activity;

d. A time schedule for the commencement and completion date of the demolition or conversion;

e. The general location on a map and appropriate number of dwelling units by number of bedrooms that will be provided as replacement dwelling units;

f. The source of funding and a time schedule for the provision of replacement dwelling units;

g. The basis for concluding that each replacement dwelling unit will remain a low and moderate income dwelling unit for at least ten (10) years from the date of initial occupancy;

h. Relocation benefits, including reimbursement for moving expenses, security deposits, credit checks, temporary housing, and other related expenses and either:

   1. Sufficient compensation to ensure that, at least for five (5) years after being relocated, any displaced low/moderate income household shall not bear a ratio of shelter costs to income that exceeds thirty (30) percent, or:

   2. A lump-sum payment equal to the capitalized value of the compensation available under subparagraph 1. above or a Section 8 certificate of voucher for rental assistance provided through New Hampshire Housing Finance Authority.

i. The right to elect, as an alternative to the benefits in subparagraph 2. above, to received benefits under the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970; and

j. The right of appeal to the director of CDFA where a claim for assistance under subparagraph 2. above, is denied by the grantee. The director's decision shall be final unless a court determines the decision was arbitrary and capricious.

k. Subparagraph (2) a. through g. above shall not apply where the HUD Field Office objectively finds that there is an adequate supply of decent, affordable low/moderate income housing in the area.

CERTIFICATION OF COMPLIANCE

The City of Franklin certifies that it will comply with the Uniform Relocation Act and Section 104 (d) of the Housing and Community Development Act of 1974, as amended.
Any displacement or relocation is anticipated to be on-site with tenants moved into rehabilitated units, all moving costs paid by the developer. Units will be kept vacant for this.

NAME: Judie Milner

TITLE: City Manager

SIGNATURE: X_____

DATE: January 8, 2024

Handout

CITY OF FRANKLIN, NH
Public Hearings
Community Development Block Grant Project

January 8, 2024 6:05pm

Public Hearing on the Proposed Franklin Woods, 11 Plains Court, Franklin Rehabilitation Project CDBG Application

Community Development Block Grant (CDBG) funds are available to municipalities through the NH Community Development Finance Authority. Up to $500,000 annually is available for Economic Development Projects, up $500,000 for Housing Projects, up to $500,000 for Public Facility Projects, up to $350,000 in Emergency Funds, up to $25,000 per Planning Study grant. All projects must directly benefit a majority of low- and moderate-income persons.

This is a proposed application to the Community Development Finance Authority for up to $500,000 in CDBG Housing Grant Funds. Of the grant funds, up to $30,000 will be retained by the City for administrative/labor compliance associated with the project, $470,000 of the funds will be subgranted to Woodside Haven LLC, or related entity, to rehabilitate Franklin Woods, 11 Plains Court, Franklin, NH. The building contains 36 units of affordable housing.

This project conforms with Franklin's Housing and Community Development Plan's goals of: Goal: Address issues of affordable housing. Encourage safe, decent, attractive and affordable housing for all segments of the population, with a focus on the increasing elderly population.

Public Hearing on the Residential Anti-Displacement and Relocation Assistance Plan for the Proposed Franklin Woods, 11 Plains Court, Franklin Rehabilitation Project

Please note the public hearing notice in the Union Leader incorrectly said this public hearing was for the Residential Anti-displacement and Relocation Assistance Plan for Healthfirst Family Care Center Improvements Project, which was a previous CDBG application. This Public Hearing is for the Proposed Franklin Woods, 11 Plains Court, Franklin Rehabilitation Project

This plan outlines measures, under the Uniform Relocation Act, required for CDBG projects that involve any displacement or relocation of persons (or businesses), if the City were to undertake a CDBG project which involved displacement or relocation they would follow this plan. The plan outlines the measures they would take to find comparable, suitable housing for persons (or businesses) displaced or relocated. Any displacement or relocation is anticipated to be on-site with tenants moved into rehabilitated units, all moving costs paid by the developer. Units will be kept vacant for this.

CITY OF FRANKLIN
NOTICE OF PUBLIC HEARING & MEETING

In accordance with the provision of Chapter 31, Division 2 of the Franklin Municipal Code, notice is hereby given that the City of Franklin will hold a Public Hearing on Monday, January 8th, 2024 at 6:00 p.m. in the Franklin Lodge of Elks regarding a proposed application to the Community Development Finance Authority for up to $500,000 in CDBG Housing Grant Funds. Of the grant funds, up to $30,000 will be retained by the City for administrative/labor compliance associated with the project, $470,000 of the funds will be subgranted to Woodside Haven LLC, or related entity, to rehabilitate Franklin Woods, 11 Plains Court, Franklin, NH. The building contains 36 units of affordable housing, AND the Residential Anti-displacement and Relocation Assistance Plan for the proposed Franklin Woods Rehabilitation Project.

Provisions for persons with special needs can be made by contacting the City Manager's office, via telephone or mail at least five days prior to the public hearing.

City of Franklin
316 Central Street
Franklin, NH 03235
(603) 934-3900

2023 CITY COUNCIL MEETING
AGENDA ITEM V

CITY OF FRANKLIN
COUNCIL AGENDA REPORT
City Council meeting January 8th, 2024

From: Lisa Jones – Executive Secretary

Subject: Unsealing of any nonpublic meeting sessions from 2022 & 2023

Recommended Motion

Councilor moves, "I move that the Franklin City Council unseal the nonpublic meeting minutes dated _____".

Mayor calls for a second, discussion, and vote.

Discussion

Per HB 108-FN-LOCAL:

Section I. requires that for meetings in nonpublic session where the minutes or decisions were determined to not be subject to public disclosure, a list shall be kept which shall include certain information. The list shall be made available for public disclosure.

This took effect on January 1, 2022.

From this list of nonpublic sessions in 2022 & 2023, the council may review these meeting minutes and decide on whether any of them should be unsealed and made available for public disclosure, based on the information no longer being determined to affect adversely the reputation of any person other than a member of the public body itself, or render the proposed action ineffective.

Attachment

List of 2022 nonpublic meeting minute sessions
List of 2023 nonpublic meeting minute sessions

Non-Public Meeting Sessions for 2022

Meeting Date:	Meeting Time:	Specific Exemption under paragraph II:	Council/Committee:	Date Sealed:	Date Unsealed:
January 24, 2022	8:06 PM	RSA 91-A:3, II (d)	City Council	1/24/2022	
April 4, 2022	8:12 PM	RSA 91-A:3, II (l)	City Council	4/4/2022	
April 15, 2022	8:30 AM	RSA 91-A:3, II (a)	Personnel Advisory Committee	4/15/2022	
June 6, 2022	7:58 PM	RSA 91-A:3, II (a)	City Council	6/6/2022	
July 11, 2022	7:43 PM	RSA 91-A:3, II (d)	City Council	7/11/2022	2/6/2023
August 1, 2022	8:01 PM	RSA 91-A:3, II (d)	City Council	8/1/2022	2/6/2023

RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

RSA 91-A:3, II (b) *The hiring of any person as a public employee.*

RSA 91-A:3, II (c) *Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

RSA 91-A:3, II (d) *Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.*

RSA 91-A:3, II (e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against this board or any subdivision thereof, or by or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled*

RSA 91-A:3, II (i) *Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.*

RSA 91-A:3, II (l) *Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.*

Non-Public Meeting Sessions for 2023

Meeting Date:	Meeting Time:	Specific Exemption under paragraph II:	Council/Committee:	Date Sealed:	Date Unsealed:
February 6, 2023	8:02pm	RSA 91-A:3, II (a) & (l)	City Council	2/6/2023	
February 13, 2023	8:16pm	RSA 91-A:3, II (a)	City Council	2/13/2023	
March 6, 2023	8:43pm	RSA 91-A:3, II (a) & (c) & (d)	City Council	3/6/2023	
April 3, 2023	8:32pm	RSA 91-A:3, II (a)	City Council	4/3/2023	
May 15, 2023	8:17pm	RSA 91-A:3, II (d)	City Council	5/15/2023	
June 5, 2023	10:35pm	RSA 91-A:3, II (d)	City Council	6/5/2023	
July 10, 2023	8:23pm	RSA 91-A:3, II (a)	City Council	7/10/2023	
August 7, 2023	8:40pm	RSA 91-A:3, II (l)	City Council	8/7/2023	
September 5, 2023	8:32pm	RSA 91-A:3, II (d) & (l)	City Council	9/5/2023	
October 23, 2023	6:39pm	RSA 91-A:3, II (c)	City Council	10/23/2023	
December 4, 2023	9:59pm	RSA 91-A:3, II (l)	City Council	12/4/2023	
December 14, 2023	6:43pm	RSA 91-A:3, II (a)	City Council	12/14/2023	

RSA 91-A:3, II (a) *The dismissal, promotion, or compensation of any public employee or the disciplining of such employee, or the investigation of any charges against him or her, unless the employee affected (1) has a right to a public meeting, and (2) requests that the meeting be open, in which case the request shall be granted.*

RSA 91-A:3, II (b) *The hiring of any person as a public employee.*

RSA 91-A:3, II (c) *Matters which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.*

RSA 91-A:3, II (d) *Consideration of the acquisition, sale or lease of real or personal property which, if discussed in public, would likely benefit a party or parties whose interests are adverse to those of the general community.*

RSA 91-A:3, II (e) *Consideration or negotiation of pending claims or litigation which has been threatened in writing or filed by or against this board or any subdivision thereof, or by or against any member thereof because of his or her membership therein, until the claim or litigation has been fully adjudicated or otherwise settled*

RSA 91-A:3, II (i) *Consideration of matters relating to the preparation for and the carrying out of emergency functions, including training to carry out such functions, developed by local or state safety officials that are directly intended to thwart a deliberate act that is intended to result in widespread or severe damage to property or widespread injury or loss of life.*

RSA 91-A:3, II (l) *Consideration of legal advice provided by legal counsel, either in writing or orally, to one or more members of the public body, even where legal counsel is not present.*

2023 CITY COUNCIL MEETING
AGENDA ITEM VI

CITY OF FRANKLIN
COUNCIL AGENDA REPORT
January 8, 2024

From: Judie Milner, City Manager

Subject: **Council to consider entering into a Franchise Agreement with Comcast**

Suggested Motion:

Councilor moves, "I move that the Franklin City Council authorize the City Manager to engage Attorney Kate Miller of Donahue, Tucker and Ciandella as legal counsel for negotiations and enter into cable franchise agreement negotiations with Comcast for the City.".

Mayor calls for a second, discussion and vote.

Discussion:

As the council is aware, the city appropriated $7,500 in American Rescue Plan Act (ARPA) funds for a citywide broadband study. The study has shown that the city is well served as far as households and businesses with access to broadband. As we've heard from many residents during our current cable franchise agreement renewal with Breezeline, quality of broadband services is not acceptable to many. As a reminder to the public, by law, internet services are not part of franchise negotiations but it doesn't mean that it is not an important part of the overall service offered by cable providers. Because the city is considered served, we are not a good candidate for eligibility of the ARPA broadband funding through the NH Dept of Business & Economic Affairs. Therefore, we did not receive any responses to our request for proposal (RFP) to partner with the city for grant funding in order to provide reliable broadband service.

After the RFP process, Comcast approached the City and would like to build a new 100% fiber network to the premises of 4258 addresses in the city without City or grant support. It would include 90 miles of fiber to just under 4000 residences and just over 300 businesses. Comcast participates in the normal federal low-income programs but also offers a service that can provide broadband internet service to eligible users for as low as $9.95/month. For some users, this program can be utilized with the federal subsidized programs for $0 cost broadband internet services. The city will be working with community partners, Breezeline, Consolidated, Comcast and possibly FSB to provide educational materials on who qualifies and how to apply for these subsidies.

Attorney Miller of Donahue, Tucker & Ciandella is one of the leading cable franchise agreement negotiators in NH and has represented many of the Lakes Region communities who have recently

added Comcast (Laconia, Gilford, Northfield, etc.). In addition, Attorney Miller is representing the 10-town consortium that is currently in franchise renewal negotiations with Breezeline and represented the consortium that negotiated the last cable franchise agreement in 2013 with then Atlantic Broadband (now Breezeline).

Comcast would like to wrap up franchise agreement negotiations by late Winter early Spring. Any negotiated contract would need to come to the council for approval. They expect to have the first customers on the system by this time next year with completion in approximately 18 months.

Fiscal Impact:

Current franchise revenue to the general fund is approx. $99k per year. As a reminder franchise revenue is based on cable fees and have been slowly declining and expected to diminish as customers move from cable services to streaming services. I don't expect much in the way of additional franchise revenue as customers will pick either Breezeline or Comcast but not both. We may pick up some as we've heard from many that they utilize DSL services over the current cable provider's internet services but it will be minimal. The City will pick up tax revenue from the attachment, right-of-way, conduit and (new, if any) pole values.

Regardless of fees, I believe the option and benefit of a fiber network over the current failing copper network is in the best interest of residents and businesses alike.

Alternatives:

Do not consider a franchise agreement with Comcast. My understanding is this does not stop Comcast from providing services to the community but does not provide benefits, revenue, services, etc., to the municipality. Per FCC regulations, the city would not be able to hold one company, Breezeline, to a franchise agreement and not the other, Comcast.

2023 CITY COUNCIL MEETING
AGENDA ITEM VII

CITY OF FRANKLIN
COUNCIL AGENDA REPORT
January 8, 2024

From: Judie Milner, City Manager

Subject: **Council to consider a city Customer Aggression Policy**

Suggested Motion:

Councilor moves, "I move that the Franklin City Council approve the policy on Acceptable Customer Behavior.".

Mayor calls for a second, discussion and vote.

Attached:

Policy on Acceptable Customer Behavior

CITY OF FRANKLIN
NEW HAMPSHIRE

Policy on Acceptable Customer Behavior

1. Introduction

1.1 Franklin City Council is committed to dealing with all customers equitably, comprehensively, and in a timely manner.

1.2 Any member of the public accessing city premises is required to comply with this policy and any other relevant city code, policies or guidelines.

1.3 Franklin City Council will not normally limit the contact which customers have with city staff or offices unless deemed necessary.

1.4 Franklin City Council does not expect staff to tolerate unacceptable behavior by any customer. Unacceptable behavior includes behavior which is abusive, racist, sexist, offensive, threatening, verbally and/or non- verbally intimidating and may include:

Using abusive or foul language on the telephone,
Using abusive or foul language face to face,
Sending excessive and/or abusive emails,
Leaving excessive and/or abusive voicemails, or
Leaving abusive messages on social media sites.

1.5 Franklin City Council will take action to protect staff from such behavior. If a customer behaves in a way that is unreasonable, persistent or vexatious, this policy will be followed.

1.6 Raising legitimate queries or criticisms should not in itself lead to a customer being regarded as vexatious or as unreasonably persistent.

1.7 Similarly, the fact that a customer is unhappy with the decision of the Council and seeks to challenge it once, or more than once, should not necessarily cause them to be labelled vexatious or unreasonably persistent.

2. Purpose of this policy

2.1 The City of Franklin has a moral and legal obligation to provide a safe workplace for all employees, clients and visitors.

2.2 Every employee has the right to work in an environment free from threats of physical harm or violence, actual physical harm, swearing or personal insults and inappropriate religious, racial or derogatory remarks. This applies across all communication channels, including face to face interactions, telephone, email, live, chat and social media.

2.3 To address the potential impact of prolonged customer aggression on employees include increased stress, fear anxiety and emotional exhaustion which can lead to compassion fatigue, burnout, low job satisfaction and high turnover.

2.3 To demonstrate how the City of Franklin will address customer aggression in a consistent, fair and reasonable way.

3. Definitions

3.1 For the purposes of this Policy the definition of violence/aggression/abusive behavior includes any incident in which an employee feels abused, threatened or assaulted in circumstances related to, or arising out of, or in the course of their duties which may involve an explicit or implicit challenge to their safety, well-being or health on municipal property or elsewhere.

3.2 Violence/Aggression may take the form of:

Verbal abuse - directly or via the telephone/written – letter/email/social media,
Verbal and Non-Verbal Intimidation,
Racial, sexual, disability or other related harassment,
Physical assault,
Verbal assault,
Threatening behavior,
Implied threat including threats of self-harm,
The use of animals to assault or intimidate,
Pre-meditated violence and aggression,
Violence which is not pre-meditated, and
Aggression which is not pre-meditated.

3.3 An unreasonably persistent and/or vexatious customer may display the following behavior:

Harasses or verbally abuses or otherwise seek to intimidate staff by use of foul or inappropriate language or by the use of offensive and racist language,

Behaves in a manner which is considered to be disruptive, violent, aggressive or in an abusive fashion towards a member of staff or another member of the public,

Refuses to specify the grounds of their query/request despite offers of assistance,

Makes an unreasonable number of contacts with the city, by any means,

Makes persistent and unreasonable demands or expectations of staff after the unreasonableness of their actions has been explained to the customer (an example of this could be a customer who insists on immediate responses to numerous, frequent and/or queries, letters, faxes, telephone calls or emails),

Refuses to accept that some issues are not within the power of the staff to investigate, change or influence (examples could be a complaint about a private residence, or an issue that is the responsibility of another organization),

Electronically records meetings and conversations without the prior knowledge and consent of the other person involved,

Persistently approaches the city through different routes about the same issue,

Persists in seeking an outcome which the city has already explained is unrealistic for legal or policy (or other valid) reasons,

Refuses to accept documented evidence as factual,

Complains about or challenges an issue based on a historic and irreversible decision or incident,

Combines some or all of these features.

4. General

4.1 Municipal buildings throughout the city have posted days and hours for access to the public. For example, City Hall is accessible to the public between the hours of 8:15 am to 5:00 pm Monday to Friday (excluding Holidays) for customers who need to access services of the city clerk/tax collector, finance and city manager's office. Reduced public opening hours applies to some services. Access to this and other city buildings is with the implied permission of Franklin City Council, which can be withdrawn.

4.2 Smoking is prohibited as is the use of electronic smoking devices.

4.3 The consumption of alcohol is prohibited.

4.4 The use of or possession of illicit drugs is prohibited.

4.5 CCTV and/or other electronic monitoring may be in operation throughout city buildings and grounds in order to ensure the protection of both staff and customers.

4.6 Circumstances may arise where it is appropriate to immediately request a customer to leave the premises.

4.7 Where a customer appears to be in breach of acceptable behavior, the customer will be politely requested to alter or modify their behavior.

4.8 Should the unacceptable behavior continue, then the customer will again be requested to alter or modify their behavior and in addition, be warned that the continuation of such behavior may result in being requested to leave the premises.

4.9 If the unacceptable behavior continues, the customer may be requested to leave the premises.

4.10 A customer, who remains on the premises beyond a reasonable time necessary to complete the transaction, may be requested to leave the premises.

4.11 Any customer, who remains on the premises after a request to leave has been issued, may be regarded as a trespasser.

4.12 The city in such circumstances as is deemed fit by them, may request the assistance of the police department to remove the customer from the premises.

4.13 Incidents of unacceptable behavior will be recorded and may be used by the city when considering the imposition of restrictions.

5. Customer Obligations/Responsibilities

5.1 To treat the staff of the City of Franklin in a courteous, and civil manner during all dealings with them.

5.2 To provide full and accurate information, so that the city can meet the request/needs,

5.3 To behave with respect and consideration for other members of the public,

5.4 Not to remain on the premises beyond a reasonable period necessary to complete their transaction with the city or beyond official closing times,

5.5 As a member of the public, not to remain on the premises beyond the duration of a public meeting/event,

5.6 To comply with directions outlined in public notices, city code, city policy and those given by staff and/or agents acting on behalf of the city.

5.7 In particular:

Not to behave in a disruptive, violent, aggressive or abusive fashion towards a member of staff,

Not to behave in a disruptive, violent, aggressive or abusive fashion towards a member of the public,

Not to engage in verbal and/or non-verbal intimidation.

To leave the premises peacefully when so requested by a staff member times while on the premises.

6. Procedure

6.1 The city will provide training in conflict management, de-escalation process, situational awareness, self-defense/preservation techniques and other areas as identified to keep personnel safe.

6.2 Employees may employ techniques to de-escalate the situation including letting the customer know that their behavior is unacceptable. Employees who continue to feel uncomfortable should involve their immediate supervisor.

6.3 The supervisor may continue to request compliance from the customer. Where a customer continues to behave in a way which is unacceptable, the supervisor may decide to refuse all further contact with the customer pending review of the Department Head in consultation with the City Manager.

6.4 The Department Head and City Manager may impose the following restrictions dependent on specific circumstances:

Prohibit the customer from making contact by telephone except through a third party acting on their behalf, the details of which will be agreed with the City Manager.

Prohibit the customer from sending emails to specific individual(s) and insisting they only correspond with the city by letter.

Prohibit the customer from using any of the city's services,

Prohibit the customer from accessing any municipal building except by appointment,

Requiring contact to take place with one named member of the city's staff only,

Restricting telephone calls to specified days/times/duration,

Requiring any personal contact to take place in the presence of an appropriate witness,

Entering into an Acceptable Behavior Agreement with the city.

6.5 Any restriction that is imposed on the customers' contact with the city will be appropriate and proportionate.

6.6 Where such action is taken and a customer's access is restricted, an alternative means by which the customer can conduct business with the city will be provided to the customer. This may be in the form of written correspondence from the City Manager or City Solicitor with a designated member of the Council staff and the details of same will be provided to the customer.

6.7 Where the behavior is so extreme or it threatens the immediate safety and welfare of staff, other options may be considered, including reporting the matter to law enforcement. In such cases, the city may not give the customer prior warning of that action. Other options that may be considered by the city may also include the taking of appropriate legal proceedings against an individual or group of individuals who behaves in a violent and aggressive manner.

6.8 Restrictions imposed on the city's contact with customers will be documented and kept on file in the City Manager's Office. Restrictions will be reviewed quarterly by the City Manager and Department Head management team to retain or lift imposed restrictions.

9. Appeals

9.1 If, as a member of the public or a customer, you are still dissatisfied with the city's decision or response in relation to any matter in connection with this policy, the matter may be appealed in accordance with the city's grievance procedure.

Adopted by Franklin City Council at its meeting held _____.

2024 INAUGURAL

2024 CITY COUNCIL MEETING

AGENDA ITEM I

Subject: City Manager's Update

City Manager, Judie Milner, will provide a monthly update to the Mayor and City Council.

Subject: City Manager's Update

City Manager, Judie Milner, will provide a monthly update to the Mayor and City Council.

- Contingent Grant Line Activity –
- Trust fund for school funding –
- Shout Out-
- Committee Meetings – January:
- Council Workshop - January
- City SPIRIT – Save the Date
- City Offices Closed – Monday, January 15, 2024, Civil Rights Holiday
- City Clerk's Office Closed – Tuesday, January 23, 2024; Re-open at noon on Wed, January 24, 2024

2024 CITY COUNCIL MEETING

AGENDA ITEM II

Subject: Monthly School Board Update

Superintendent Dan LeGallo will provide a monthly update to the Mayor and City Council.

2024 CITY COUNCIL MEETING

AGENDA ITEM III

From: Lisa Jones – Executive Secretary

Subject: Choose Franklin High School Junior Essay Writing Contest

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The winner of the 'Choose Franklin High School Junior Essay Writing Contest' will read his/her essay to the council.

2024 CITY COUNCIL MEETING

AGENDA ITEM IV

Subject: Other Business

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1. **Mayor & Council Appointments**
2. **Committee Reports**
3. **Late Items**

Adjournment

Mayor Appointments

Recommended Motions:

"I reappoint Rob Sargent to the Planning Board Committee, seat PB2, term of service to January 2026."

"I appoint Leigh Webb to the Heritage Commission, seat HC1, term of service to January 2027."

Councilor Appointments

Recommended Motions:

"I move that the Franklin City Council accept the resignation of Debbie Davis from the Zoning Board of Adjustment Committee as an Alternate, seat ZBA6."

"I move that the Franklin City Council reappoint Richard Soucier to the Personnel Advisory Board, seat PA2, term of service to January 2026."

"I move that the Franklin City Council reappoint Sandra Burney to the Library Board of Trustees Committee, seat LT1, term of service to January 2027."

"I move that the Franklin City Council reappoint Christine Dzujna to the Library Board of Trustees Committee, seat LT2, term of service to January 2027."

"I move that the Franklin City Council reappoint Sam Durfee to the TIF District Board, seat TIF1, term of service to January 2026."

"I move that the Franklin City Council reappoint Caite Foley to the TIF District Board, seat TIF2, term of service to January 2026."

"I move that the Franklin City Council reappoint Robert Morin, Jr. to the TIF District Board, seat TIF3, term of service to January 2026."

"I move that the Franklin City Council accept the resignation of Roy Hubble from the Supervisors of the Checklist, Ward III, seat SCW32, effective immediately."

"I move that the Franklin City Council appoint LeAnne Fifield to the School Board, Ward II, seat SBW21, term of service to January 2026."

Attachments:
Resignation Letter via Email – Debbie Davis
Resignation Letter – Roy Hubble
Appointee Profile – LeAnne Fifield and Letters of Support

From: Deborah Davis <debbiedavis@myself.com>
Sent: Wednesday, December 6, 2023 9:05 AM
To: Judith Bibbins <Jbibbins@franklinnh.org>; Seth Creighton <SCreighton@franklinnh.org>
Subject: Re: Zoning Board Position

Seth and Judy,

It is with a heavy heart that I inform you that I resign from the Zoning Board effective immediately. I have given this much thought over the last few months. As you know my handicap and access into buildings, especially during the winter, has proven difficult as time goes on. In addition, my job is extremely demanding and I cannot fully commit to the ZBA as I would like to.

If you need a letter in writing I will be glad to email one to you, just let me know. In addition, I have a Zoning binder I can have one of my sons drop off at the office, again, just let me know where/who to give it to.

I wish the best to the Board, and please let all members know it has been such a pleasure to work with you all. Happy Holidays and the best to you and your families.

Deb Davis

12-21-2023.

Dear Michelle,

Let this letter serve as my notice that I will no longer be one of the supervisors of the checklist for ward 3 in Franklin NH. I'm resigning effective 12-21-2023.

sincerely

Roy Habble

Roy Habble

CITY OF FRANKLIN, NEW HAMPSHIRE

"The Three Rivers City"

316 Central Street
Franklin NH 03235

Tel: (603) 934-3900
Fax: (603) 934-7413

PROSPECTIVE APPOINTEE PROFILE

Name: LeAnne Fifield

Address: 571 Prospect Street (Street Address) Franklin (City) NH (State) 03235 (Zip Code)

Telephone: 603 934 2075 (Home Phone) (Work Phone) 6034556006 (Cell Phone) leannefifield@gmail.com (email)

You must be a Franklin resident to sit on any board or committee within the City! if at any time you do not reside in Franklin, then you shall submit a letter of resignation for your position.

Franklin Resident: [X] Yes For how long? 22 years

Employer: Self

Address: 571 Prospect St. (Street Address) Franklin (City) NH (State) 03235 (Zip Code)

Interested in appointment to: School Board - Ward 2

Please list below any specific skills, knowledge or experience you believe to be relevant:

I've ~~[illegible]~~ worked with many People within the Court Systems Clerks, Judges Lawyers for my job. I volunteer on committees within my Church and have good People Skills. I research thoroughly and do just go along with the Crowd.

Please state briefly why you are interested in this Board/Committee:

I've been involved with the Different Schools as my Son Went through Franklin and always Stayed involved. Now that he is out I feel I can help on the School Board.

LeAnne Fifield
Signature

12/18/23
Date

Thank you for your willingness to provide us with this information.

To: Franklin City Council Members

From: Ken & Judith Ackerson

Re: School Board Appointment – LeAnne Fifield

Date: December 20, 2023

We are writing in support of the appointment of LeAnne Fifield to fill the vacated seat on the School Board left by the incoming mayor.

LeAnne has been a resident of Franklin for over 20 years. During that time, she has educated her child through our public school system. She has had a lifetime of volunteer service in the schools: PTO, Healthy Eating Active Living (HEAL), helping to start the gardens at the school and teaching cribbage to 3rd graders. She has volunteered in many community organizations, including work at Bread & Roses which welcomes the homeless and others who appreciate the communal sharing of a meal.

LeAnne has exhibited through her community service that she would be an excellent addition to our school board.

Lisa Jones

From: kaitlyncampbellshaw@gmail.com
Sent: Wednesday, December 20, 2023 10:00 AM
To: Lisa Jones
Subject: LeAnne Fifield for school board

[You don't often get email from kaitlyncampbellshaw@gmail.com. Learn why this is important at https://aka.ms/LearnAboutSenderIdentification]

To whom it may concern,
I am writing to express support for LeAnne Fifield for school board.
LeAnne has been a Franklin resident for 22 years and in that time she has been an advocate for Franklin schools. Her child attended Franklin schools and she assisted in starting gardens at the elementary school and taught cribbage to the elementary school third graders. She was also on the PTO for the elementary and middle schools. She served on the HEAL (Healthy Eating Active Living) committee and volunteered at the opera house during school-related shows. She is an avid volunteer, volunteering at The Clothes Closet, Bread & Roses, and downtown events.
LeAnne would be an excellent addition to the school board and should be considered to fill the role left by the mayor-elects departure from the board to pursue mayoral duties.
Sincerely,
Kaitlyn Shaw, Ward 1

Hello jmilner,

Bob Lucas (dianabob@metrocast.net) has sent you a message via your contact form (https://www.franklinnh.org/user/47/contact) at Franklin NH.

If you don't want to receive such e-mails, you can change your settings at https://www.franklinnh.org/user/47/edit.

Message:

As we install our new mayor she will be required to resign her position on the School Board. An interim appointee position will become available.
I urge those who are responsible for appointing a replacement consider LeAnne Fifield. She has expressed a keen interest in this position and in our personal conversations she has been eager to contribute her time to the enrichment of our schools and students.
I have worked with LeAnne on many volunteer organizations and her many attributes include sincerity, maturity, compassion and integrity in all that she does.
Please share my sincere endorsement of LeAnne with our Mayor and all City Councilors.
Thank you,
Bob