

CITY OF FRANKLIN
CITY COUNCIL MEETING
April 5, 2021
6:00 P.M.





CITY COUNCIL MEETING

Monday April 5, 2021 - 6:00 p.m.

Webmeeting by computer: <https://us02web.zoom.us/j/89046509803>

or by phone: 1-312-626-6799, Meeting ID# 890 4650 9803

Compliant Statement

The Right-to-Know Law During the State of Emergency

As Mayor Pro Tem of the **City of Franklin**, I find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically.

Please note that there is no physical location to observe and listen contemporaneously to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means:

We are utilizing **Zoom Webmeeting via the Internet** for this electronic meeting.¹ All members of the **Franklin City Council** have the ability to communicate contemporaneously during this meeting through this platform, and the public has access to contemporaneously listen and, if necessary, participate in this meeting through dialing the following phone # 1-312-626-6799, **Meeting ID # 890 4650 9803**, or by clicking on the following website address: <https://us02web.zoom.us/j/89046509803>.

b) Providing public notice of the necessary information for accessing the meeting:

We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have also been provided on the website of the **City of Franklin** at: www.FranklinNH.Org.

c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access:

If anybody has a problem, please call **603 -934-3900 ext. 10** or email at:
CityMgr@FranklinNH.Org.

d) Adjourning the meeting if the public is unable to access the meeting:

In the event the public is unable to access the meeting, the meeting will be adjourned and rescheduled.

Please note that **all votes** that are taken during this meeting shall be done by **roll call vote**.

Let's start the meeting by taking a roll call attendance. When each member states their presence, please also state whether there is anyone in the room with you during this meeting, which is required under the Right-to-Know law.

SALUTE TO THE FLAG



PUBLIC HEARINGS

Resolution #16-21, a resolution to accept and appropriate \$25K CDBG Planning Grant Funds for a Hotel Feasibility Study.

LEGISLATIVE UPDATE

COMMENTS FROM THE PUBLIC

CITY COUNCIL ACKNOWLEDGEMENT

MAYOR'S UPDATE

Agenda Item I.

City Council to consider the minutes of the March 1, 2021 City Council Meeting and the minutes of the March 22, 2021 City Council Special Meeting.

Agenda Item II.

Councilor to consider approval of Resolution #16-21, a Resolution to accept and appropriate \$25K CDBG Funds through the Community Development Finance Authority for a Hotel Feasibility Study.

Item III.

School Board Update.

Agenda Item IV.

Council to discuss proposed Charter changes.

Agenda Item V.

Council to consider setting a Public Hearing on Resolution #17-21, a Resolution authorizing the City Manager to expend remaining funds from the current loan from the State of New Hampshire Drinking Water State Revolving Fund (DWSRF), and designating the City Manager as the authorized representative for the City of Franklin.

Agenda Item VI.

Other Business

1. Council Appointments
2. Committee Reports
3. City Manager's Update
4. Late Items.

Non-public – 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) request that the meeting be open, in which case the request shall be granted.

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. 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)

CITY COUNCIL MEETING

AGENDA ITEM I



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of April 5, 2021

Subject: Approval of Minutes

Motion: "I move that the Franklin City Council approve the minutes of the March 1, 2021 City Council Meeting and the minutes of the March 22, 2021 City Council Special Meeting."

Mayor calls for a second, discussion and the vote.



City Council Meeting Minutes
Monday, March 1, 2021 - 6:00 p.m.
Webmeeting via Zoom

	Location
Interim Mayor Olivia Zink	Home in the room alone
Councilor Jo Brown	Home in the room alone
Councilor Scott Clarenbach	Home in the room alone
Councilor Bob Desrochers	Home in the room alone
Councilor Jay Chandler	Home in the room alone
Councilor April Bunker	Home with her daughters Mary Grace and Sarah present
Councilor Ted Starkweather	Home in the room alone
Councilor Karen Testerman	Home in the room alone
Councilor Paul Trudel	Home in the room alone

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

Mayor Zink called the meeting to order via Zoom at 6:03 p.m. She then read the Compliant Right-to-Know Statement.

Salute to the Flag was led by Councilor Desrochers.

Councilor Desrochers requested a moment of silence for Veteran John Jurta III who was a Franklin High School graduate and served in the U.S. Army during the Korean War.

A moment of silence was recognized for Mr. Jurta.

PUBLIC HEARINGS

Resolution #15-21, a resolution regarding the Nonpartisan Fair Redistricting Policy for Franklin's Voting Wards.

The public hearing opened at 6:09 p.m.

Mayor Zink asked if there were any comments or questions from the public.

Ward 3 resident Leigh Webb stated that he understands this is a non-binding resolution and is a wonderful message to send to our Legislators. Any redistricting should be done on the basis of adequate representation and not political advantage.

Ward 3 resident Dave Liberatore spoke in favor of this resolution and stated that it is time to let our Legislators know that they need to do what is right and take politics out of redistricting.

Resident James [he did not wish to include his last name] stated that he wasn't sure why the City is handling this topic in this way since this is something the Legislators in Concord would handle. Mayor Zink agreed that the Legislators handle the redistricting however the City Council handles the actual Ward Lines. James also stated that this resolution seemed to be accusatory and people could have also read it that way.

Ward 3 resident Judith Ackerson stated that she spoke in support of this during last month's City Council Meeting and appreciated the City Council taking this on as it would allow for fair representation in each ward. Several other communities are also presenting resolutions showing widespread support in New Hampshire. She thanked the Council for taking it under consideration.

There were no further comments.

The public hearing on Resolution #15-21 closed at 6:13 p.m.

LEGISLATIVE UPDATE

Representative Howard Pearl thanked the Council for inviting him to tonight's meeting. He stated that Legislation is in session and had their first meetings last week at the Bedford Sportsplex. He added that he is looking forward to getting back to in-person meetings and is seeing the COVID numbers going down.

Pearl stated that he is now the Chairperson on the Environment and Agriculture Committee. There are currently 19 Bills and those that stand out, which affect Franklin, seem to be HB 20 which address the Education Freedom Account Program. Pearl stated that this Bill needs additional work and will come back before the House when it is ready to be presented again. Also important to Franklin is HB 106 regarding Municipal Exemptions for net metering. This Bill has had hearings and the committee is still working on it. Pearl stated that he believes this Bill will benefit Franklin if passed.

City Manager Milner addressed Representative Pearl and stated that the House Bills just mentioned would help Franklin and also HB 497. She would like to see the State fully fund their portion back into the New Hampshire Retirement System.

Pearl replied that he would like to further review the Bills that address the NHRS and will respond at a later date. Milner also asked for support on the School's Adequacy Funding as well.

Superintendent LeGallo added that any amount would help Franklin Students. Representative Pearl stated that he would review this as well.

City Manager Milner stated that she would send Representative Pearl the list of Bills and thoughts from both the City and Schools on them.

There were no further Legislative Updates

COMMENTS FROM THE PUBLIC

Ward 1 resident George Dzujna informed the Council that he is in support of the Solar Moratorium. He stated that the City must look closer at perimeters of any new business coming here. He requested that residents learn what codes are in force and contact their Councilors to provide input. Residents need to be supportive of their Councilors and work together to put the right things in place.

Ward 3 resident Kathy Rago stated that she wasn't able to locate the City's current financials and also inquired on the ability to bring back the addition of the "Year to Date Expenditures Projected for 12 months" column. City Manager Milner replied that she would look into where the financial information is on the website and because the City doesn't have a purchase order system yet, maintaining a running expenditures column is a very manual time-consuming process but it can be done at certain times during the year.

Ward 2 resident Ellie Zink provided information to the Council on Composting and how it can save the City money. She also stated reasons why it can be good for the earth and asked if she could post a flyer at City Hall on this topic.

City Manager Milner thanked Ellie Zink and stated that that her flyer would go along nicely with the information posted on the City Website from UNH. Milner asked Ellie to send her the flyer.

The Franklin Mayor's Drug Task Force Coordinator Kandyce Tucker stated that April 24th is designated as National Drug Take Back Day and will set up at the Franklin CVS on April 24th from 10am-2pm. Contact Kandyce if there is an interest in setting up a table at this event to offer other services for the residents. This event will also be a cookout fundraiser opportunity. Kandyce also informed the Council that she hopes the 5K fundraiser will occur in June and will provide more information on that soon.

Ward 3 resident Judith Ackerson stated that she appreciates the zoom meetings and hopes It can be incorporated as a regular option when the Council meetings open back up at City Hall for public attendance.

City Manager Milner stated that her amazing secretary Audrey Lanzillo is working on making that happen. Milner stated that it may not be interactive back and forth like these current meetings are but it likely will be something where people can view and listen from home at the very least.

Ward 3 resident Dean Lapierre stated that he is concerned that the Solar Moratorium referenced only "Certain Solar Projects" and not "all" solar projects. He lives next door to the Foundry Solar Project and stated that it is important that the City take their time and make sure it is right for Franklin.

Councilor Desrochers stated that the Resolution for the Moratorium covers certain exemptions for residential solar projects and will be the version voted on tonight. It was adjusted from the one reviewed by Director Lewis during last month's meeting.

There were no further public comments.

COUNCIL ACKNOWLEDGEMENTS

Mayor Zink acknowledged the Franklin Outing Club for their amazing work on the Winter Carnival this year.

MAYOR'S UPDATE

Mayor Zink stated that she was approached by Melissa Gross at the Paul Smith School and informed her that they are participating in Read Across America therefore Zink thought it would be appropriate to dedicate this day to Read Across Franklin.

Agenda Item I.

City Council to consider the minutes of the January 25, 2021 City Council Special Meeting, the minutes of the February 1, City Council Meeting, and the minutes of the February 1, City Council Non-public Meeting.

**Motion – Councilor Desrochers moved that the Franklin City Council approve the minutes of the January 25, 2021 City Council Special Meeting, the minutes of the February 1, 2021 City Council Meeting, and the minutes of the February 1, 2021 Non-public City Council Meeting.
Seconded by Councilor Bunker.**

Roll Call:

Councilor Brown	Yes	Councilor Chandler	Yes	Councilor Zink	Yes
Councilor Clarenbach	Yes	Councilor Bunker	Yes	Councilor Testerman	Yes
Councilor Desrochers	Yes	Councilor Starkweather	Yes	Councilor Trudel	Yes

All in favor. Motion PASSED.

AGENDA ITEM II.

Councilor to consider approval of Resolution #15-21, a Resolution regarding the Nonpartisan Fair Redistricting Policy and Map Lines for Franklin's Three Voting Wards.

**Motion – Councilor Starkweather moved that the Franklin City Council vote to adopt Resolution #15-21, a New Hampshire Nonpartisan Fair Redistricting resolution.
Seconded by Councilor Bunker.**

Councilor Brown stated that she supports the nonpartisan redistricting resolution however ironically the letter shared with the Council in support of this resolution, seemed rather partisan and not completely accurate. It is still important to support a nonpartisan redistricting resolution. It will be the Legislature that will make the final decision. Brown also stated that because the Council is representing the public, it must be done in a nonpartisan way.

Councilor Desrochers agrees with Councilor Brown and stated that the Council is overstepping its boundaries and should be left to the Legislature. He stated that because of these reasons and having received a couple of letters from constituents, he is not in support of this.

Councilor Starkweather asked for information on how this affects Franklin and agrees with Councilor Desrochers. He is not in support of this resolution.

Mayor Zink added that item # 6 in the Resolution is referring to how Franklin draws the ward lines and stated that lines have not been redrawn since 1995. She referred to the Charter and informed the Council that it is important the ward lines reflect the current population based on the most current census data. Zink also pointed out that if the Council decided to make this change in the Charter, it would need to be on the ballot for residents and voted on by them to make this change. Due to timing, it likely wouldn't make it for this coming election but could for 2022.

Councilor Chandler agreed with the other Councilors that it is not their place to push the State Legislature. In addition, the timing is not right considering the census data results have not been published. He stated that there are many other things to focus on to help the City move forward.

Councilor Testerman stated that it is the responsibility of the City to draw its own ward lines. Testerman read excerpts of the Charter and further stated that she is not in support of this resolution.

Councilor Trudel stated that he believes the elections are currently nonpartisan and sees no reason to move ward lines nor push this change through a resolution. He is also not in support of this resolution.

Councilor Clarenbach stated that he is not against the resolution as it only advises the legislation however, ward 3 has portions which fall in Northfield and that ward 2 is much smaller population speaking than wards 1 and 3.

Zink further added that one of the guidelines through the New Hampshire Municipal Association is fair redistricting. She also stated that several other Cities are also passing this resolution.

Councilor Testerman stated that although she appreciates that other communities are moving resolutions like this forward however just because other communities are doing something, shouldn't mean that Franklin should also do it. She further added that as Councilors of Franklin, the Council should focus on the issues that are happening here in our own City and work them out together as Councilors. Our duty is to keep the focus on our Franklin residents.

Motion - Councilor Desrochers moved to call the question. Seconded by Councilor Starkweather.

Roll Call to Call the Question:

Councilor Brown	Yes	Councilor Chandler	Yes	Councilor Zink	Yes
Councilor Clarenbach	Yes	Councilor Bunker	Yes	Councilor Testerman	Yes
Councilor Desrochers	Yes	Councilor Starkweather	Yes	Councilor Trudel	Yes

All in favor. Motion PASSED

Resolution #15-21

A Resolution to adopt a RESOLUTION FOR NONPARTISAN FAIR REDISTRICTING

City of Franklin, New Hampshire

In the year of our Lord Two Thousand and Twenty One

The City of Franklin New Hampshire resolves as follows:

WHEREAS, the U.S. Census will be completed in 2021; and

WHEREAS, the New Hampshire General Court is obligated to redraw the maps of political districts within the state for state and federal elected positions; and

WHEREAS, the City of Franklin is obligated to redistrict the voting wards for elected positions within the City of Franklin; and

WHEREAS, the NH General Court conducted the 2010 census redistricting behind closed doors; and

WHEREAS, the public was given 24 hours notice to view the proposed redistricting maps and not given the maps before the public hearings in 2010, and

WHEREAS, this practice created representatives who are unknown to most of the voters of that district, representatives who have no intimate involvement or relationship to the community they will serve, and

WHEREAS, 2010 proposed redistricting maps were created to benefit one political party over another and has been abused for decades by both political parties.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Franklin

That :

1. Redistricting shall be fair, nonpartisan, and ensure effective representation; and
2. Voting maps shall not be gerrymandered to favor any one political party or candidate; and
3. Communities of interest shall be considered when redistricting; and
4. The process of redistricting communities shall be transparent and open to public input during all stages of development, and
5. The City of Franklin shall call upon its elected state legislators, in writing, to uphold these fair redistricting principles when creating state redistricting maps; and
6. The City of Franklin shall also adhere to these fair redistricting principles when creating city redistricting maps.
7. This resolution shall take effect upon its passage.

Roll Call on Resolution 15-21:

Councilor Brown	Yes	Councilor Chandler	No	Councilor Zink	Yes
Councilor Clarenbach	Yes	Councilor Bunker	Yes	Councilor Testerman	No
Councilor Desrochers	No	Councilor Starkweather	Yes	Councilor Trudel	No

All in favor. Motion PASSED

Agenda Item III

Superintendent Dan LeGallo provided an update on the School to the Council.

LeGallo stated that the school board will meet to discuss the school budget for fy21-22 on March 8th followed by a Joint Finance Committee Meeting later that week.

LeGallo stated that there is consideration of changing the classroom schedule for seniors starting the next school year. Instead of having full year courses completed in half the year, they would be spread out the classes throughout the school year to allow for more flexibility during the school year.

Classes are still operating in the Hybrid Model and surveys are being sent to all the parents next week. Results will be shared with the Council and the community when the information is available.

LeGallo further explained that the Adverse Childhood Services Response Team has been working with the Police Department and the School District. This will allow for student councilors to be put in place when the police come upon situations where children and trauma are involved. Barbara Slayton and Chief David Goldstein have been heavily involved in working out this new support service for families.

The School District will be applying to try to obtain a new Grant through the National Foundation for Governors' Fitness Councils (NFGFC). Three elementary or middle schools in New Hampshire will be selected to receive a \$100,000 to install a fitness center in their school.

LeGallo concluded stating that he hopes the Annual District Report card will be ready to share with everyone by April. He hopes that the Council and residents will be pleased with communicating this information out on the School and City Websites. If it is well received, it will be communicated out annually in this manner.

Councilor Brown confirmed that the Joint Finance Committee meeting is scheduled for March 10th which will be held in the High School Cafeteria.

Councilor Testerman asked Superintendent LeGallo if he could share the student test scores from this last fall. LeGallo replied that he would send the test results to her and also mentioned that the statewide spring testing is coming and can share those results when available as well.

Testerman also stated that the Council has worked very hard to provide the school with an additional \$1.3M over the last three years and asked if the school might consider returning some money back to the City so some of the City's needs can be addressed.

Agenda Item IV.

Council to consider appointing the City Manager as the Authorized Signer of the New Hampshire Department of Health and Human Services, Emergency Management Directive for COVID-19 Vaccination Aid from the City of Franklin's First Responders.

**Motion – Councilor Desrochers moved that the Franklin City Council authorize the City Manager to sign the COVID-19 Vaccination Aid Emergency Management Directive as proposed by the New Hampshire Department of Health and Human Services.
Seconded by Councilor Trudel.**

Councilor Testerman asked if this vaccination process is mandatory. Chief Foss stated that this resolution directive is to allow Franklin's EMTs to provide assistance at vaccine clinics and to obtain the reimbursement of expenses incurred due to this from the state.

There were no further questions or comments.

Roll Call:

Councilor Brown	Yes	Councilor Chandler	Yes	Councilor Zink	Yes
Councilor Clarenbach	Yes	Councilor Bunker	Yes	Councilor Testerman	Yes
Councilor Desrochers	Yes	Councilor Starkweather	Yes	Councilor Trudel	Yes

All in favor. Motion PASSED.

Agenda Item V.

Council to consider Ordinance #05-21, an Ordinance to create a Moratorium on certain Solar Energy Projects.

**Motion – Councilor Brown moved that the Franklin City Council approved the recommendation by the Franklin Planning Board and adopt the proposed moratorium on certain solar energy projects and adopt Ordinance #05-21 by a roll call vote.
Seconded by Councilor Trudel.**

Councilor Brown stated that the Planning Board met to discuss this at length at the last Planning Board Meeting. Dan Laughy presented an impressive PowerPoint regarding the value of ourselves as the Citizens of Franklin. This proposed moratorium will pause any new projects coming in however will not pause the Mojalaki solar project since it has already been through the Planning Board. The Planning Board can still show more enforcement to projects already in motion. The Mark and Duffy solar project has changed hands and they will present the projections of what the project will look like at a future public hearing. At that time, the planning board and residents can review this and provide input to that plan at the next point.

Councilor Testerman asked if this moratorium applies to both commercial and residential projects. Planning and Zoning Director Dick Lewis replied that the moratorium includes all solar projects in the City of Franklin. The two exemptions are for roof mounted residential solar arrays and ground mounted solar arrays like the one on New Hampton Road. Ground mounted residential solar arrays on more than 2.5 acres is also exempt.

Councilor Desrochers asked Director Lewis if the abutters at the Mark and Duffy Street Project will be notified when this next public hearing meeting is scheduled. Lewis replied that property owners were notified via certified mail as well as courtesy notices for other residents regarding the February 24, 2021. This hearing was continued to March 24, 2021. The initial notification to the property owners was made following state statute but they will not be notified again for subsequent public hearings.

Agendas for all the Planning and Zoning meetings are posted on the City Website and other locations so there are other methods of keeping the residents apprised of when these subsequent meetings plan to be held.

Councilor Desrochers stated that he would feel better if all the abutters were still notified by mail.

Councilor Trudel asked if this moratorium includes the Mojalaki Solar Project and Director Lewis replied that it does not because it's public hearing was held and project began before this moratorium was written. They will be allowed to go through the current Planning Board process to review their plans and although the public hearing on this project was on the agenda for the recent February 24th meeting, their development team wasn't able to meet with Eversource and so they asked for a continuation to the March 24th meeting. That request was voted on and accepted by the Planning Board.

Councilor Testerman asked for more information on the Mark and Duffy Solar Project and asked if their project was not properly monitored. Director Lewis explained that the Mark and Duffy project plans included certain conditions of approval that their development team was supposed to request and adhere to certain inspections during the course of construction. Those inspections did not take place nor was the City notified when the project hit certain checkpoints. Certain landscaping also did not take place nor the placement and installation of eight utility poles near the road. None of these poles or locations of poles were shown on their project plans or came to the Planning Board for approval. Lewis further explained that their Development team never contacted the Planning Board to inform or seek approval to changes to the project plan. These issues are significant and unacceptable which triggered the re-opening of the public hearing.

Testerman asked if the City is responsible for any oversight of Franklin projects to make sure things are moving along as approved. Lewis explained that the project developer historically initiates the need for certain inspections at certain points in the project and this has been the process for many years. The City is also not staffed to perform oversight of projects.

Testerman then suggested that the City should put something in place throughout the process of a project for checkpoints whether we hear from them or not and that this requires immediate remedy.

Councilor Desrochers further added that the City did not do a good job on overseeing either the Industrial Solar Project or the Mark and Duffy Project and it is unacceptable. He then stated that he would like to place a hold on further construction of the Mojalaki Solar Project until the plans for the Mark and Duffy project are reviewed.

Councilor Trudel agreed with Councilor Desrochers comments and further stated that if an inspection hasn't been scheduled according to plan, the project must hold until the requirements are met. He also stated that he knows of several projects that were proposed and approved by the Planning Board that

were not adhered to and those portions of construction were ordered to be removed as it was not approved.

Councilor Starkweather stated that unless the City comes up with funds to send employees out to provide project oversight, it's not possible to do this to every project. The City did provide feedback to Mojalaki when they reviewed their plans based on the issues at Mark and Duffy. Code Enforcement and Planning and Zoning are out there doing their jobs.

Councilor Clarenbach asked for clarification when an applicant doesn't stay compliant with their first project and applies for other additional projects. Can the City issue a cease and desist on subsequent projects? Director Lewis replied that because each project is different, that likely, legally, it wouldn't be possible. He further added that the Mark and Duffy Street Project is a wakeup call for the Planning Board and the reason for the moratorium. The moratorium would give the City time to add appropriate language in the Ordinance to address these issues.

Councilor Chandler stated that he is in support of the moratorium and asked when or if the Mojalaki project will come before the City Council and would the Council have the approval authority or not as they move forward. Director Lewis replied that this would not go before the City Council as per state statute, it is presented before the Planning Board. Lewis explained how the process flows as it makes its way through the Planning Board. Lewis also stated that the applicant will be required to hire an outside engineer to review their plans. This will ensure that all of the elements and the final construction plans are in proper alignment. There may be additional outside firms required to help the oversight of a solar project due to the uniqueness of the project where there are many items that must be in code and require code inspections.

Lewis also added that once the project and requirements are worked out, they will be incorporated into a new Ordinance which will hold a public hearing first then come before the Council for a vote.

Councilor Testerman suggested that since there are specific milestones in a project timeline where inspections are supposed to take place, the City would know or have an idea when those inspections were supposed to occur allowing the City to inquire and do a checkpoint. Lewis replied that this was a very good and appropriate idea and will become part of the construction timeline.

Councilor Trudel further added that this is in no way a reflection on the Planning and Zoning department not doing something and that it falls completely on the Developer of the solar project.

There were no further comments.

ORDINANCE #05-21

AN AMENDMENT TO THE FRANKLIN MUNICIPAL CODE:

In the Year of our Lord, Two Thousand Twenty-One

Be it ordained by the City Council of the City of Franklin that Ordinance # 05-21 be approved as outlined below:

A Moratorium on the Construction of Solar Projects, with Certain Exemptions for Residential Projects

- A. The Franklin City Council agrees with, and adopts, the Findings of the Planning Board, and finds that the issues, concern, and problems outlined in these Finding [which shall be attached to this Ordinance as an Appendix], that have become evident in the recent past related to the construction of commercial solar projects in these developed residential neighborhoods, has already had, and will have, an adverse impact to these neighborhoods.
- B. The City Council also agrees that siting these types of projects in residential zoning districts runs contrary to the purposes of residential zoning.
- C. The circumstances outlined by the Planning Board provide appropriate and necessary support for the establishment of this Moratorium.
- D. This Moratorium shall run for 6-months from the date of adoption.
- E. This Moratorium covers all solar projects, located anywhere within the City of Franklin.
- F. An exemption for the installation of roof-mounted residential solar projects is granted. Ground-mounted residential solar projects on parcels greater than 2.5 acres in size are also exempted.
- G. This Moratorium will expire 6 months from the date of adoption by the City Council, or when the City Council adopts a new and separate Zoning Ordinance for the regulation of Solar Energy facilities.

Roll Call on Ordinance #05-21:

Councilor Brown	Yes	Councilor Chandler	Yes	Councilor Zink	Yes
Councilor Clarenbach	Yes	Councilor Bunker	Yes	Councilor Testerman	Yes
Councilor Desrochers	Yes	Councilor Starkweather	Yes	Councilor Trudel	Yes

All in favor. Motion PASSED.

Agenda Item VI.

Council to consider disposition of 2020 Tax Deeded Property.

Motion – Councilor Clarenbach moved to authorize the City Manager to dispose of the following property:

Map/Lot #	Location	Disposition Method	Recommended minimum bid	Notes
1. 117-199-000	27 School Street	Bid	\$20,000.00	Successful bidder will have to clean up code enforcement violations (mostly trash) within 60 days of acquisition
2. 117-246-000	Spring Street	Direct Sale		Must be merged with successful abutter property within 60 days of acquisition; further conditions may be imposed.
3. 096-412-005	5 Vine Street	Direct Sale		To park owner.
4. 070-002-000	Hill Road	Bid	\$12,000	Parcels to be merged into one parcel within 60 days of acquisition.
5. 070-003-000	Hill Road			

Seconded by Councilor Starkweather.

Councilor Clarenbach asked City Manager Milner if the Vine Street property was a tax deed property. There was discussion on previous owners and if the property transfers show the owners in the proper order.

Clarenbach then noted that the first Hill Road property provides similar information as the Vine Street property. Milner was then able to clarify that the City did take Hill and Vine properties on 9/22/20 from Darcy Martin due to taxes.

There was no further discussion.

Roll call:

Councilor Brown	Yes	Councilor Chandler	Yes	Councilor Zink	Yes
Councilor Clarenbach	Yes	Councilor Bunker	Yes	Councilor Testerman	Yes
Councilor Desrochers	Yes	Councilor Starkweather	Yes	Councilor Trudel	Yes

All in favor. Motion PASSED.

Agenda Item VII.

Council to consider setting a Public Hearing on Resolution #16-21 to accept and appropriate \$25K CDBG Planning Grant for a Hotel Feasibility Study.

Motion – Councilor Desrochers moved that the Franklin City Council set a Public Hearing on Monday April 5, 2021 at 6:00 p.m. regarding Resolution #16-21 accepting and appropriating \$25,000 Community Development Block Grant received through the Community Development Finance Authority for a Hotel Feasibility Study. To be read in name only.

Seconded by Councilor Brown.

Roll call:

Councilor Brown	Yes	Councilor Chandler	Yes	Councilor Zink	Yes
Councilor Clarenbach	Yes	Councilor Bunker	Yes	Councilor Testerman	Yes
Councilor Desrochers	Yes	Councilor Starkweather	Yes	Councilor Trudel	Yes

All in favor. Motion PASSED.

RESOLUTION #16-21, A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2021.

Councilor Desrochers requested information on a list of properties that were going out for bid from a letter he received and wondered where this list came from and if the Council voted on these to be sold.

City Manager Milner replied that the Citywide disposition list Desrochers is referring to is a list that was voted on by the Council to dispose of by public bid in the January 2020 City Council meeting. Following that January meeting, COVID hit and being unsure what the appetite for property purchases would be since many were out of work, Milner decided to hold on putting these out for bid. By the end of 2020 and start of this year, it has been noted that property sales are selling very quickly in Franklin and it is a good time to get these properties listed and out for bid as soon as possible and before the April 1st deadline.

Agenda Item VIII.

1. Committee Reports:
 - a. Councilor Bunker advised the members of the School Liaison Committee that the doodle poll for availability was sent out and asked the members to keep an eye out for it.
2. City Manager's Update
 - a. Contingent Grant Line Activity for the month is \$0.
 - b. The Trust fund for school funding is \$142.06
 - c. The next Council Workshop is scheduled for March 22nd. The Mayor's Drug Task Force will be presenting. They are 100% fully funded by a Federal Grant. The ten year, \$1.2M previous grant had ended and now in a five year grant in collaboration with the school district for \$1.5M. At the upcoming Council Workshop, the Drug Task Force will give an update on what they have accomplished and future plans for the Task Force.
 - d. Upcoming City retirements are: Captain Bruce Goldthwaite on March 31st and Planning and Zoning Director Richard Lewis on June 30th. Thank you for your service to our City! You will be greatly missed!
 - e. Congratulations to our new captains: Captain Dan Chapman and Captain Alex Green who were recently promoted in the Fire Department.
 - f. Sargent Kent Matthews completed his FFA Drone pilot training in just a few months and received his FFA License. The drone was purchased through a grant and will be used for police and code enforcement work.
 - g. FY2022 Budget planning is on track however, it will be missing significant State revenues that are normally received. There are some challenges which will be discussed at the March 10th Joint Finance Committee Meeting.
 - h. The Mill City Park Request for Proposal was awarded to AJ Coleman with a July 12th, 2021 construction start date.
 - i. Property Disposition Update: Bids are due this week for the properties posted out for bid. Winning bids will be set to close by March 19th, 2021 so they will be on the tax roll for April 1, 2021. There are direct sales to abutters that may not be on the April 1st tax roll.
 - j. The Lakes Region Conservation Trust Easement in lieu of a mitigation payment that would have been payable to NH DES as a result of receiving the permit for the Mill City Park "in water features", would have cost the City \$500,000. City Council approved a portion of the land to be placed into a Conservation Trust in lieu of this payment. City Attorney Paul Fitzgerald has recently completed the documents and expects the Conservation to be official on March 26, 2021. Please reach out to City Manager Milner for details on the description of the parcel of land this includes.
 - k. There will be a professional video team filming throughout the downtown area to highlight the Opportunity Zones and attract quality investors to Franklin.
 - l. Contract renewal discussions for the Metrocast Franchise Agreement will begin soon. The current agreement ends on 12/21/2023. Franklin will join several other communities to negotiate the contracts together as a group. This provides us leverage, saves the City money, and splits attorney fees. Without objection, the Council would like to proceed this same way as done previously in joining with the other communities to discuss this renewal. There will be a public meeting to gather input from the Council and the public on this as well. There was no objection from the Council.

- m. The Cybersecurity Summit Video went well. Cyber-attack issues shouldn't be thought of as a stigma or "if" they happen but rather "when" they will happen and how businesses need to plan ahead in this century. This Cybersecurity Summit will run tomorrow from 2pm-4:30pm.
 - i. Councilor Bunker stated that she is a member of the State Cybersecurity Committee and they would like to see as many municipal elected officials attend this summit as possible. She asked to be sure the invitation to the summit was forwarded to the Council.
 - ii. Councilor Testerman referenced the recent crisis in Texas and requested that Bunker mention the topic regarding the possibility of a firewall of some sort for New England's power grid to avoid a cyber catastrophe that could shut down power.
- n. Milner sent the Council an email last week on a possible change to the Charter but has only heard back from one Councilor at this point. City Attorney Paul Fitzgerald will draft language to address this change if the Council would like to proceed with this charter change.
 - i. The Council would like to review the language regarding filling the Mayor Pro Tem position in advance and all agreed that it needs clarification.
 - ii. Additional clarification needs to be made in the charter language addressing situations like these whether it is the Mayor, City Clerk, City Manager, or the like.
 - iii. Councilor Desrochers requested the language be addressed so a Councilor would not lose their Council seat due to temporarily filling the Mayor.
 - iv. Councilor Clarenbach feels a Council member would be best prepared to fill the Mayor Pro Tem seat rather than a member of the public and would like the powers on the Mayor Pro Tem made clear.
 - v. Councilor Bunker agreed with Councilor Clarenbach and Councilor Desrochers.
 - vi. Councilor Trudel stated that the Charter already states that the Council chooses one of its' own to fill the Mayor Pro Tem seat however it does not address how that Council person continues to represent their ward. He welcomes City Attorney Paul Fitzgerald's opinion in these vague areas. He asked that his email be shared with the full Council and thanked the City Manager and Council for bringing this forward.
 - vii. Any Charter changes would need to be on the next election ballot and in by April or May so voters can see them and vote on them. It needs to go to the Secretary of State before it gets on the ballot.
 - viii. City Manager Milner will forward another Charter change regarding the time window of swearing in an elected position and will created a timeline to the Councilors.

Motion to adjourn was made by Councilor Desrochers and seconded by Councilor Starkweather.

Roll call:

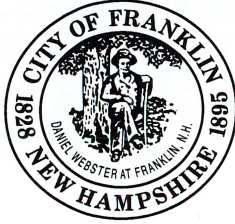
Councilor Brown	Yes	Councilor Chandler	Yes	Councilor Zink	Yes
Councilor Clarenbach	Yes	Councilor Bunker	Yes	Councilor Testerman	Yes
Councilor Desrochers	Yes	Councilor Starkweather	Yes	Councilor Trudel	Yes

All in favor. Motion PASSED.

Meeting adjourned at 8:40 p.m.

Respectfully submitted,

Audrey Lanzillo



City Council Special Meeting - Minutes
Monday, March 22, 2021 - 6:00 p.m.
Webmeeting via Zoom

	Location
Interim Mayor Olivia Zink	Home in the room alone
Councilor Jo Brown	Home in the room alone
Councilor Scott Clarenbach	Home in the room alone
Councilor Bob Desrochers	Home in the room alone
Councilor Jay Chandler	Home in the room alone
Councilor April Bunker	Absent
Councilor Ted Starkweather	Absent
Councilor Karen Testerman	Home in the room alone
Councilor Paul Trudel	Home in the room alone

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

Mayor Zink called the meeting to order via Zoom at 6:03 p.m. She then read the Compliant Right-to-Know Statement.

Salute to the Flag was led by Councilor Clarenbach.

City Manager Judie Milner provided the background on tonight's agenda topic which will be presented by the Mayor's Drug Task Force Coordinator Kandyce Tucker and the School District Wellness Coordinator Barbara Slayton.

Milner stated that the Mayor's Drug Task Force had been funded over the past ten years for \$1.2M which has come to its end. The Drug Task Force, in collaboration with the School District, received a \$1.5M grant for the next five years.

Milner further stated that this coalition is the only coalition to receive this Grant in the State of New Hampshire.

Drug Task Force Coordinator Kandyce Tucker began the presentation with the following slides:

Franklin Mayor's Drug Task Force SWOT Analysis

STRENGTHS

- ❑ Strong leadership & teamwork
- ❑ Positive relationship with partners in community
- ❑ Well informed director
- ❑ Good networking
- ❑ Progressive ideas
- ❑ Strong collaboration with Community Management Team & SAU 18
- ❑ Diverse leadership team & allies with connections across multiple sectors
- ❑ Committed board
- ❑ Community recognitions

WEAKNESSES

- ❑ Increased evidence based programs
- ❑ Grant restrictions
- ❑ Covid has slowed down progress of in person interaction with youth
- ❑ Community Involvement
- ❑ Lack of participation from community members
- ❑ Substance misuse (Treatment) resources for youth
- ❑ Marketing

OPPORTUNITIES

- ❑ Working with SAPC
- ❑ Focusing on gender specific prevention for girls
- ❑ SUD Epidemiologist
- ❑ Growth within Franklin & new community partners
- ❑ Outdoor recreation & prevention
- ❑ Growing our partnerships within the school
- ❑ Increasing our community awareness
- ❑ Collaborative funding with the school

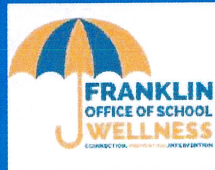
THREATS

- ❑ People tired of Zoom
- ❑ Back to normalcy (Pre-covid)
- ❑ Lack of healthy activities for kids
- ❑ Tackling the multigenerational theme of SUD and mental health issues
- ❑ Running out of funding
- ❑ Other board member commitments
- ❑ Parental perception of risk decreasing
- ❑ Sustainable funding
- ❑ Community unaware of what we do

Youth Risk Behavior Survey (2019) and School Safety data (2018-2019)

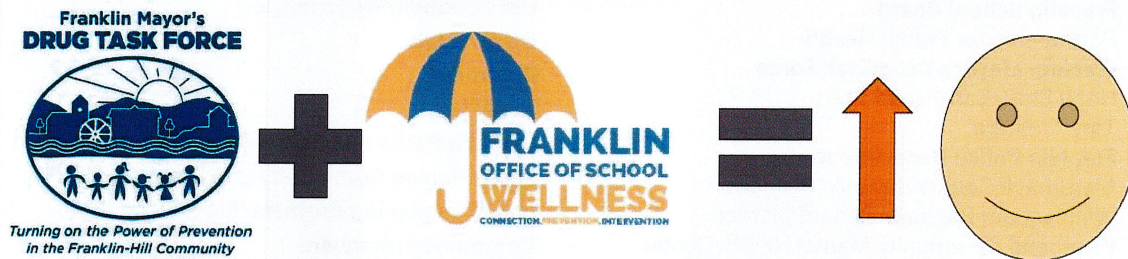
presentation for School Board and City Council
March 2021

By Kandyce Tucker, Mayor's Drug Task Force and Barbara Slayton, Coordinator of School Wellness

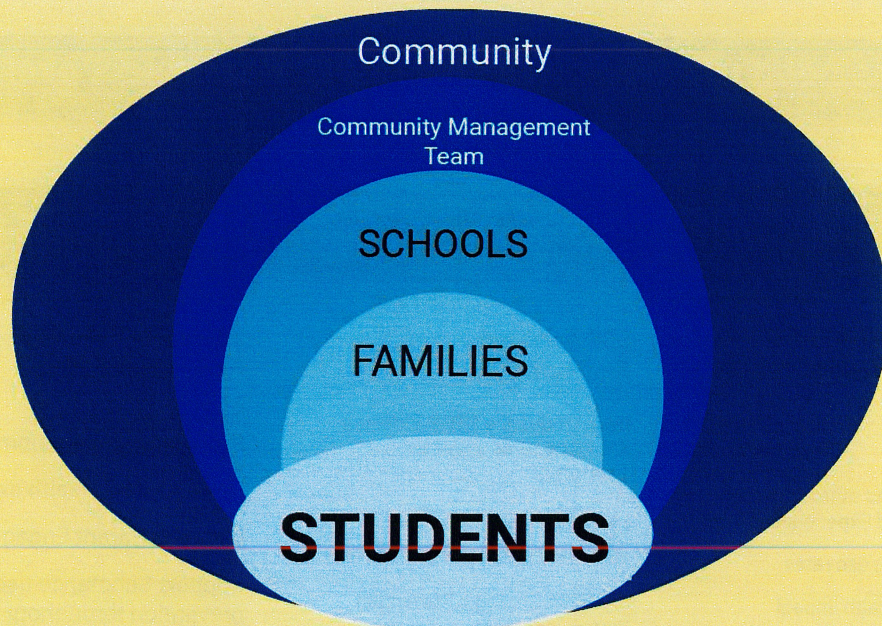


Barbara Slayton discussed the following slides:

Working TOGETHER



Funders have been impressed by the collaborative, synergistic efforts for students and families in Franklin



It takes a village, and anything impacting any part of the village impacts its children.

Barbara stated that the Community Management Team was formed through the Project Aware Grant in 2015 and although it is no longer a requirement to meet as a Community Management Team, the

partner groups want to continue to meet. The list below is fluid and some groups have dropped off but then a new one will join.

COMMUNITY CONTEXT: PARTNERS

Franklin Community Management Team

Meets Third Friday of the Month 9-10:30

Franklin School Board

Partnership for Public Health

Franklin Mayor's Drug Task Force

Head Start/Early Head Start

Tiny Twisters

Franklin Police Department

Merrimack County Juvenile Services

Winnisquam Regional School District

Riverbend Community Mental Health Center

Health First

Greater Tilton Area Family Resource Center

Students

UNH Cooperative Extension

DCYF/DJJS

Parents

NAMI NH

Franklin Parks and Recreation

Lakes Region Community Services

Lakes Region Big Brothers/Big Sisters

Community members

Franklin Fire Department

My Turn

Provides oversight to Office Of School Wellness and its initiatives

Kandycy Tucker discussed the following slides:

Franklin's needs, recent grants awarded, and project overviews

NEEDS, based on our data

Compared to other NH communities, Franklin has higher levels of:

- ❖ poverty
- ❖ trauma and other Adverse Childhood Experiences (ACES)
- ❖ substance use rates
- ❖ mental health impact
- ❖ Bullying and other school safety incidents

\$\$\$ Awarded Aug-Nov 2020

Dept. Of Justice STOP Violence
\$267,000 to be spent by
10/1/2023

NH DOE Promising Futures
\$49,450 to be spent by 6/30/2021

SAMHSA Strategic Prevention
Framework grant
\$300,000 / year x 5 years
totaling \$1,500,000

Grants

Projects

Implement Behavioral Threat
Assessment Team

Staff Wellness and
Professional Development

Raise Mental Health awareness

Increase Parent Engagement

Support Substance use
prevention throughout the
lifespan in school and
community

Kandycy stated that the data is lagging a year therefore the data below is from 2019.

Youth Risk Behavior Survey

Conducted bi-annually in odd years

Results usually lag behind by about a year

These results are from 2019

High School YRBS coordinated by NH DOE

Data analysis by Partnership for Public Health

Middle School Survey (grades 7-8) has been supported by Mayor's Drug Task Force and historically, Project AWARE

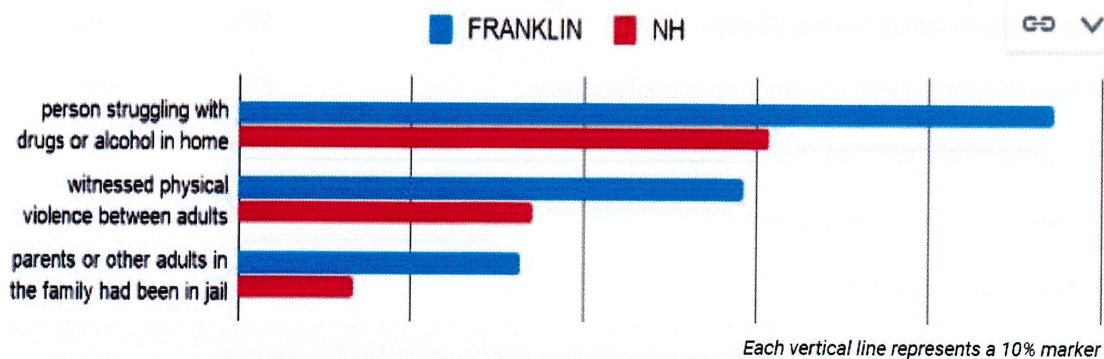
School Safety Survey

Reported annually by all public schools in NH to NH DOE

2 primary data sources used

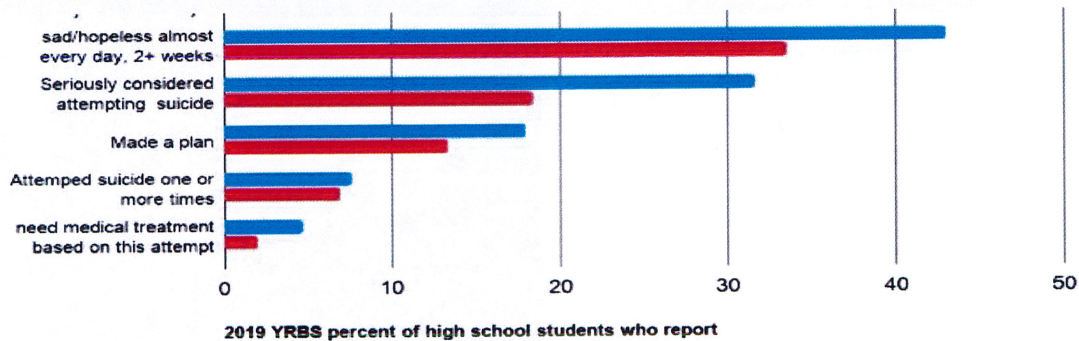
Barbara stated that the following is only an excerpt of information and that there is a full in depth YRBS Report on the School Website.

YRBS 2019: FHS students report much higher than average Adverse Childhood Experiences



These are three of the ten items considered ACEs, or significant childhood traumas which have an impact on a variety of life outcomes

FHS also report higher rates of depression, suicide ideation, and attempts



Franklin Middle School 7th and 8th graders report

- symptoms of depression (35.2%)
- suicidal ideation (18.5%),
- having made a suicide plan (12%)
- suicide attempts (11.1%)

No state comparisons readily available

Safety Issues as reported by FHS students on YRBS

According to 2019 YRBS, which is self report by 9-12 graders	Franklin	NH
carried a weapon during the last 30 days	21%	14%
have been threatened with a weapon on school property	8%	4%
did not go to school because they felt unsafe	11%	7%
have been bullied on school property	30%	23%
have been in a physical fight	15%	8%

(Note that these numbers are generally trending in the wrong direction over time)

Annual School Safety Data

NH DOE

<https://ireport.education.nh.gov/districts/185/profile>

*** includes Drug/Alcohol, Robbery, Burglary, Theft, Weapon Offense, Arson, Criminal Mischief/Vandalism, Homicide, Assault/Threatening, Sexual Offense, Sexual Harassment

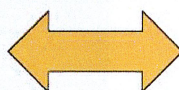
	FRANKLIN		NH
	2018	2019	2019
Safety Incidents *** per 1000 students	219	130	44
In-School suspensions	13.40%	9.22%	3.72%
Out of School Suspensions	12.75%	10.22%	4.17%

Kandyce discussed the following slides:

Substance Use Data from YRBS

Current use behaviors:

How many report using the substance at least once in past 30 days.

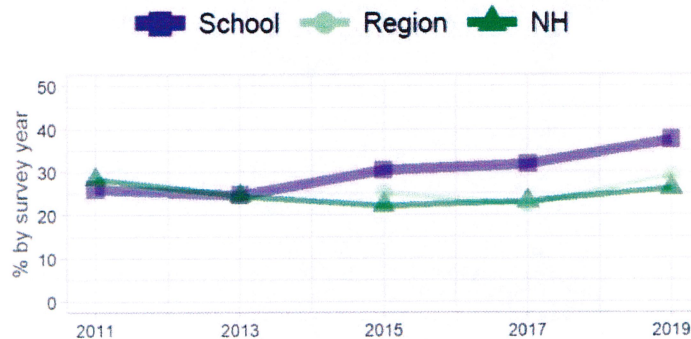


Perception of Risk:

Do students feel there is a great risk of harm to someone who uses a substance?

MARIJUANA: *During the past 30 days, how many times did you use marijuana?*

School	Region	NH
37.4%	29.0%	26.1%
110 of 286 students*	854 of 2,941 students+	14,167 of 54,358 students+



- Trending upward
- Females report more use than males
- Use increases with grade level

4.6% of FMS 7th and 8th graders have used marijuana at least once in past 30 days, up from 3.8% in 2017

Marijuana Use

higher than region and state
AND
trending upwards

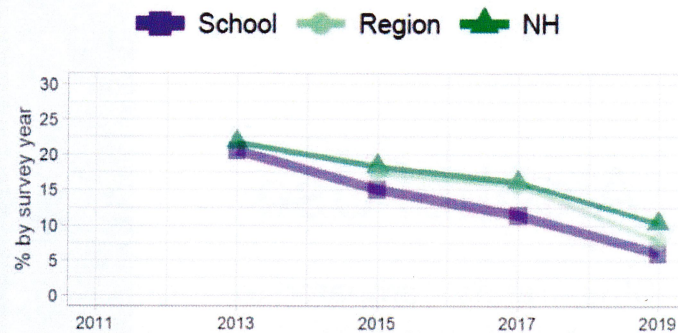
- Tried before 13 yo (10.1%)
- Used synthetic marijuana (aka spice, K2...) at least once (13.7%)

Kandycy stated that Franklin was one of the first Cities to Ban Spice/K2 in in the State. It is making a come back so awareness must continue in this area.

Marijuana: Perception of Risk

How much do you think people risk harming themselves (physically or in other ways) if they use marijuana once or twice a week?

School	Region	NH
6.0%	7.8%	10.3%
18 of 279 students*	226 of 2,889 students+	5,440 of 52,767 students+



FHS students **do not** perceive as great a risk to marijuana use as do their regional and statewide peers.

Perception of risk is **trending downward** (in this case that is the opposite of what we would want to see)

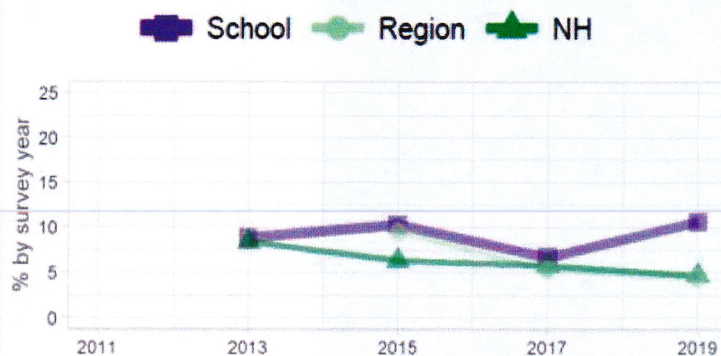
Kandyce stated that a contributing factor of the downward trend is also due to students whose parents or parental figures do not see marijuana as harmful.

ALCOHOL: During the past 30 days, on how many days did you have at least one drink of alcohol?

- Holding steady
- Slightly more females than males
- Use increases with grade level

8.3% of FMS 7th and 8th graders have used at least once in past 30 days; up from 5.1% in 2017

School	Region	NH
32.4%	29.9%	26.8%
95 of 279 students*	849 of 2,834 students+	14,083 of 52,478 students+



Alcohol Use

Other trends, compared to region and state

FHS Students report higher than state and trending UP:

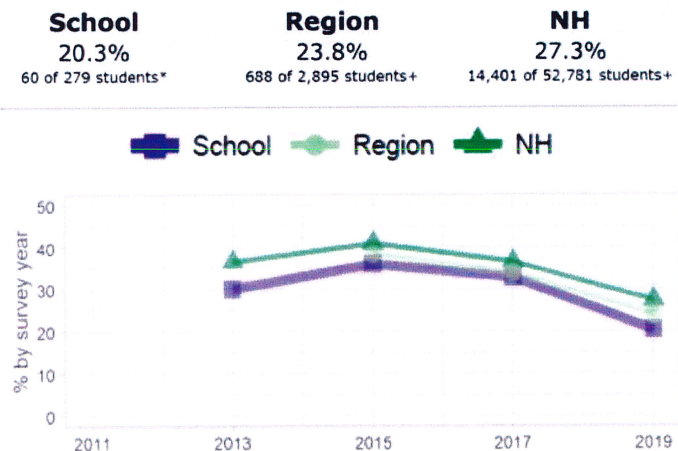
- Tried before 13 yo (18.2%)
- Binge drinking (4-5 or more drinks in a row on at least 1 day (17.2%)
- Drove vehicle under influence (10.6%)

FHS report SAME as region/state and trending DOWN:

- It would be "easy" to get alcohol

Alcohol: Perception of Risk

How much do you think people risk harming themselves (physically or in other ways) if they have five or more drinks of alcohol once or twice a week?

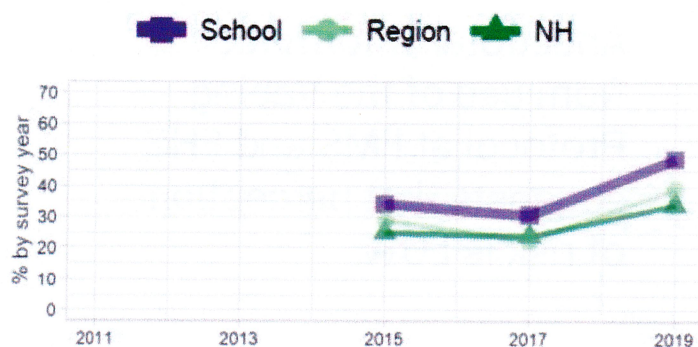


FHS students **do not** perceive as great a risk to alcohol use as do their regional and statewide peers.

Perception of risk is **trending downward** (in this case that is the opposite of what we would want to see)

VAPING: During the past 30 days, on how many days did you use an electronic vapor product?

School	Region	NH
48.6%	38.9%	33.8%
143 of 280 students*	1,123 of 2,885 students+	17,928 of 53,009 students+



- Trending upward
- Slightly more females than males
- Use increases with grade level

25.9% of FMS 7th and 8th graders have used at least once in past 30 days; up from 3% in 2017

40% report using at least once ever; up from 15.4% in 2017

Tobacco Use

Other trends, compared to region and state

- Smoking CIGARETTES is down to 9.1%, from 25.4% in 2011
- 60% report using an electronic vape product at least once, from 50% in 2017
- Minimal amount of cigarette use among 7th-8th graders

Tobacco:

Perception of Risk

YRBS dropped this question from the survey for 2019.

Anecdotal information from use of the Vaping Protocol at FMS and FHS suggests that perception of risk is LOW.

Kandyce stated that many students still believe that Vaping is not dangerous and mainly just vaper with flavor. They still do not understand that it is packed with tobacco and hazardous chemicals.

Barbara discussed the following slides:

2019 YRBS data that is trending in a **POSITIVE** direction for Franklin includes:

- Number of students reporting **PHYSICAL dating violence** is trending downward (12.3% to 9.8%) although still higher than the state (7.0%)
- Number of students reporting **having sexual intercourse with more than 4 partners** (8.9%) is lower than the region (10.6%) but higher than the state (7.2%)
- Same is true for reporting **having sexual intercourse in the past 3 months.**
- Franklin students report **wearing a bicycle helmet** (83.7%) at much higher rates than region (55.8%) and state (54.4%)
- Fewer Franklin students **text or email while driving** (29.9%) than others in the region (41.2%) and state (44.2%)
- Franklin **teachers provide more short physical activity breaks** (30.6%) than region (13.9%) and state (11.1%)

US DOJ STOP VIOLENCE

\$267,000

to be spent by
October 2023

- ◆ **Establish TEAM (BTAT)**
- ◆ **Develop and revise PROTOCOLS and POLICIES**
- ◆ **Explore use of anonymous reporting system**

Barbara stated that although Franklin was awarded \$267,000, the funds have not been received yet due to Federal red tape and she is working on this.

NH DOE Promising Futures

\$49,550

to be spent by
July 2021

- ◆ **Staff Professional Development and Wellness**
- ◆ **Counselor training and supplies for evidence based interventions**
- ◆ **Community Awareness**
- ◆ **Family Engagement**

Barbara stated that the deadline to spend these funds has been extended out one year.

Kandyce discussed the following slides:

FMDTF Prevention Grant

Strategic Prevention Framework grant funded by SAMHSA.

\$300,000 per year

**for 5 years totaling
\$1,500,000**

- ❖ **Substance Use PREVENTION across lifespan**
- ❖ **Increase CAPACITY and INFRASTRUCTURE for prevention efforts**

Fully Funds:

Full-Time Project Director

Full-Time Lead Epidemiologist

Full-Time Student Assistant Program Coordinator

Kandyce shared the great news that the Full-time Student Assistant Program Coordinator received a separate grant that will fund that position for another year outside of the FMDTF Prevention Grant.

Barbara stated that this will free up those funds which will allow them to be put back into drug prevention for the community.

NH Bureau of Drug and Alcohol Services

Student Assistance Program

\$75,000

**July 1, 2021-
June 30, 2022**

Substance Use PREVENTION K-12

- ❖ **Provide programming to support role of SAPC in the district**
- ❖ **Coordinate prevention messaging in the community**



What questions do you have?

There were many questions from the Council which resulted in the following replies from Barbara and Kandyce:

- There has not been a way to correlate higher suicide thoughts or actions of students due to COVID where students were mostly home and counseling not sought through the school. If they received counseling outside of school, there wouldn't be any way to know.
- It is possible that there are higher rates of marijuana use because of the conversations on legalizing it.
- Pre-COVID peer-to-peer conversation was occurring more and students were doing presentations regarding the dangers of vaping and drug use.
- The Annual Report Card will be ready for distribution very soon and will show the literacy rates with testing scores. Low literacy scores is a high priority for the Franklin School System.
- The United Way reached out to the school district to potentially offer a literacy grant which Barbara Slayton is currently looking into.
- The sources of Grant funds coming into these programs are State and Federal some of which have private and local donations which can be included in some of the Grant funds.
- The current Grants no longer include the Town of Hill because they are no longer part of the SAU #18 School District.
- The goal is to start educating the children at a young age and although they may not have a trusting adult in their home, making sure there is one for them to turn to in the community or school is key.

Kandyce explained how she collaborates with the Parks and Recreation Outdoor Programs. The idea is to introduce outdoor activities to young students who may not be able to afford a particular sport and introduce access to that sport at no cost to try to get them "hooked" on it in the same way the brain reacts to someone who gets "hooked" to a substance. This will introduce that student to a new

healthier community group of friends. The plan is to start by partnering with a youth outing club such as Outdoor New England to see what the data shows over this summer season then apply for a large grant in the fall. This could also branch off into a program for those in recovery.

Comments from the Council:

- Thank you Kandyce and Barbara. This presentation was very well done and it was certainly an eye opener. As a school teacher only 15 years ago, it was not apparent that this was happening.
- Passing Ordinances like the ones passed banning Vaping and Kratom in Franklin and also the Tobacco 21 Ordinance, all help the Mayor's Drug Task Force and the Community.
- Currently, the Legislature wants to take away the rights of Councilors to choose what is right for Franklin. Milner sent the Council an email recently with the House Bill information. Please contact your legislators and tell them not to take this right away from Franklin.
- Please notify the Council when Drug Task Force events are scheduled so they can show their support.

Barbara stated that the Community Management Team meets on the third Friday of each month from 9:00 am-10:30 am via Zoom. If interested in attending, contact Barbara Slayton by email which can be found on the school website.

There were no further comments or questions.

Motion to adjourn was made by Councilor Clarenbach and seconded by Councilor Desrochers.

Roll Call:

Councilor Trudel	Yes	Councilor Testerman	Yes	Councilor Zink	Yes
Councilor Clarenbach	Yes	Councilor Chandler	Yes	Councilor Bunker	Absent
Councilor Brown	Yes	Councilor Desrochers	Yes	Councilor Starkweather	Absent

All in favor. Motion PASSED.

The meeting adjourned at 7:10 p.m.

Respectfully submitted,

Audrey Lanzillo

CITY COUNCIL MEETING

AGENDA ITEM II



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

February 23, 2021

From: Judie Milner, City Manager

Subject: Council to Consider Resolution 16-21 Appropriating CDBG grant for hotel feasibility study

Suggested Motions:

March 1, 2021

Councilor moves, "I move that the Franklin City Council set a public hearing on Monday, April 5, 2021 at 6pm regarding resolution 16-21 accepting & appropriating \$25,000 Community Development Block Grant received through Community Development Finance Authority for a hotel feasibility study."

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

April 5, 2021

Councilor moves, "I move that the Franklin City Council adopts resolution 16-21 accepting & appropriating \$25,000 Community Development Block Grant received through Community Development Finance Authority for a hotel feasibility study."

Interim 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 \$25,000 in Community Development Block Grant Planning Study funds. The CDBG funds will be used for a feasibility study of a hotel in the downtown corridor of Franklin.

Concurrences:

The Council unanimously voted to authorize the City Manager to apply for this grant at the December 7, 2020 City Council meeting.

Fiscal Impact:

There is no matching requirement for this grant.

Alternatives:

Do not appropriate.

Attachments/Exhibits:

Resolution 16-21



CITY OF FRANKLIN, NEW HAMPSHIRE
"The Three Rivers City"

316 Central Street
Franklin, NH 03235

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

RESOLUTION #16-21

A Resolution Relating to a Supplemental Appropriation for Fiscal Year 2021.

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

WHEREAS, the City Council of the City of Franklin has adopted a budget for Fiscal Year 2021 which began July 1, 2020, and;

WHEREAS, the City Council of the City of Franklin, New Hampshire supported an application through Community Development Block Grant Public Facility Funds for a hotel feasibility study, and;

WHEREAS, the City Council of the City of Franklin acknowledges receipt of a Community Development Block Grant in the amount of \$25,000 from the Community Development Finance Authority for the hotel feasibility study, **Now**

THEREFORE BE IT RESOLVED, that at the scheduled meeting of the City Council on Monday, April 5, 2021, the City Council of the City of Franklin, New Hampshire does hereby adopt resolution 16-21 accepting the community development block grant in the amount of \$25,000 from the Community Development Finance Authority and authorize the following:

An increase in revenue:

Federal Grants Acct No. 01-9-012-33111-000 – Twenty Five Thousand Dollars (\$25,000),

And an increase in expenditure:

Other Professional Services – Economic Development Account No. 01-6-511-40390-000 in the amount of Twenty Five Thousand Dollars (\$25,000),

by a roll call vote.

Resolution 16-21

Page 2 of 2

Roll Call:

Councilor Brown	_____	Councilor Clarenbach	_____	Councilor Testerman	_____
Councilor Bunker	_____	Councilor Desrochers	_____	Councilor Trudel	_____
Councilor Chandler	_____	Councilor Starkweather	_____	Councilor Zink	_____

Approved: _____
Interim Mayor

Passed: _____

I certify that said vote has not been amended or repealed and remains in full force and effect as of the date of this Certification and that Katie A. Gargano 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, April 5, 2021 at 6:00 p.m. regarding Resolution #16-21, a Resolution to accept and appropriate \$25,000 Grant Funds received through the Community Development Finance Authority for a Hotel Feasibility Study, by remote Webmeeting at <https://us02web.zoom.us/j/89046509803> or by calling 1-312-626-6799, meeting ID # 890 4650 9803.

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**

CITY COUNCIL MEETING

AGENDA ITEM III



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of April 5, 2021

Subject: School Board Update

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

CITY COUNCIL MEETING

AGENDA ITEM IV



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

April 5, 2021

Subject: Council to consider possible charter change language

Background

Council asked Attorney Fitzgerald for language to clarify charter language regarding vacancies in the Mayor's position.

Charter currently reads as follows:

Chapter C. Charter

§ C-11. Vacancies.

[Added by Ch. 153 of the Laws of 1979; amended 11-26-1979; 11-25-1986]

If the Mayor, a member of the City Council or other elected city official is unable or unwilling to serve out his or her full term of office for any reason and the office becomes officially vacant during said term, then in any such event a new city official shall be appointed by the City Council for the remainder of that calendar year in which the vacancy occurred. An election shall occur at the next municipal election to fill the balance of the term caused by the vacancy. If the office of Mayor becomes vacant, the City Council shall designate one of its members to act as interim Mayor until a new Mayor is elected and qualified.

Suggested Language Approved by Attorney Fitzgerald:

- 1) Vacancies occurring in the office of Councilor or Mayor from any cause shall be filled for the unexpired term with the election of some qualified person by the recorded votes of at least a majority of all members of the Council at the next regular meeting or at a special meeting called for the express purpose of filling the vacancy within thirty (30) days following the creation of the vacancy.

Should the Council select a sitting Council member to fill a vacancy in the position of Mayor, the Council shall then also deem that Councilor's position to be temporarily vacant and that vacancy shall be temporarily filled as provided for elsewhere in this section. In this event, the individual selected to serve as Mayor shall resume their position as a member of the City Council upon the inauguration of a duly elected Mayor, assuming that their term as a Councilor has not yet expired.

- 2) Vacancies occurring in the office of Councilor or Mayor from any cause shall be filled for the unexpired term with the election of some qualified person who is not then

a sitting member of the Council by the recorded votes of at least a majority of all members of the Council at the next regular meeting or at a special meeting called for the express purpose of filling the vacancy within thirty (30) days following the creation of the vacancy."

- 3) The Interim Mayor shall retain their vote and shall exercise all general duties as Mayor but shall not have the ability to cast a deciding vote in the event of an equal division of the Council nor shall they have the authority to veto any action of the Council.

CITY COUNCIL MEETING

AGENDA ITEM V



CITY OF FRANKLIN
COUNCIL AGENDA REPORT
City Council Meeting April 5, 2021

From: Brian J. Sullivan, Municipal Services Director

Subject: City Council to consider setting a Public Hearing for Resolution 17-21, a resolution granting the City Manager the authority to expend the balance of the State of New Hampshire, Drinking Water State Revolving Funds (DWSRF), remaining from the "New Hampton Road Water Main Replacement Project", on the final design for a water main replacement project extending from the Salisbury Road Water Tank to Thunder Rd to Depot Street at South Main Street.

Recommended Motions:

1. *"I move that the Franklin City Council set a public hearing for Resolution 17-21 on Monday, May 3, 2021 at 6:00 p.m."*
2. **Mayor calls for a second, discussion and vote.**

Discussion:

In 2015 the Franklin Water Department completed its' "Capital Efficiency Plan" for the City water system. The study identified critical areas of our water distribution system in need of rehabilitation, repair, or replacement. At this time, it is the recommendation by the Director of Municipal Services, City Staff and our consulting engineers Tata and Howard, that approximately 14,000 linear feet of water main extending from Depot Street to the Salisbury Road Water Tank, located off Salisbury Road, is in need of replacement. Given the fact that this project is listed on the Municipal Services Department list of "Shovel Ready Projects", I recommend using the balance of funds from the recently completed "New Hampton Road, Water Main Replacement Project" to pay for the final design work on this potential and necessary project. The New Hampton Road project came in \$324,000 **under** budget.

Replacement of this water main is highly recommended due to the age, pipe condition, break history and the fact that this is the pipe line is critical to meet our average daily water demand of 525,000 gallons. This is the **sole** pipeline connecting the Salisbury Road Water Tank to the rest of the City water distribution system in South Main Street.

Concurrence:

The purpose of the proposed project is to improve water quality, reliability and necessary capacity to the City water distribution system. Tuberculation in the existing water mains has resulted in reduced water pressure to homeowners and fire hydrants. This water main replacement project design will correct and greatly

Franklin - The Three Rivers City

improve these deficiencies and position the City to obtain future funding if it becomes available at the State or Federal level. The project has been rated a high priority in the City's "Water System Capital Efficiency Plan." Water main replacement will meet American Water Works Association and USEPA drinking water construction standards and specifications for materials used on the project. Rehabilitation of the City's water system continues to be a top priority, as it is a major quality of life issue for our water customers and ensures adequate water pressures to homes and fire protection for now and the future.

NHDES Staff has concurred that the balance of remaining funds are eligible under our current DWSRF loan for the design work. Passage of Resolution 17-21 by the City Council would allow us to move forward with design. The funding for the DWSRF loan includes up to 20% principal forgiveness.

Fiscal Impact:

Funding for this current DWSRF loan was approved in the Fiscal Year 2021 budget. There is a remaining balance of approximately \$324,000 in the current loan should the City Council agree to utilize this option.

Alternatives:

Neglecting aging water infrastructure will have a short and long-term, adverse effect on the ratepayer. Deferred maintenance will result in higher construction costs for labor and materials in the future. As various components of our water infrastructure continue to near the end of their useful life, there is little choice but to continue to meet system needs, demands and ensure that we provide safe potable drinking water and meet ISO requirements for fire protection City wide for now and the future. It is my recommendation that we complete the design work on this critical project and support passage of Resolution 17-21.

Attachments/Exhibits:

Resolution 17-21

Resolution 02-20



CITY OF FRANKLIN, NEW HAMPSHIRE
"The Three Rivers City"

316 Central Street
Franklin, NH 03235

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

RESOLUTION #17-21

A Resolution authorizing the City Manager to expend the balance of remaining funds from the current loan from State of New Hampshire, Drinking Water State Revolving Fund (DWSRF), Project #0851010-06, designating the City Manager as the City of Franklin, New Hampshire as authorized representative.

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

WHEREAS, the City of Franklin, New Hampshire after thorough consideration of the nature of its public water system needs, hereby determines that certain works, generally described as "Final Design Plans for the Salisbury Road Water Tank to South Main at Depot Street, Water Main Replacement Project", and;

WHEREAS, a balance of approximately \$301,364 is unexpended from NHDES, DWSRF funds relating to the "New Hampton Road, Water Main Replacement Project #0851010-06, thus enabling the completion of the project design, and;

WHEREAS, the City Council has previously approved Resolution #02-20, and;

WHEREAS, the City of Franklin, New Hampshire recognizes the need to prepare final design plans, specifications and associated documents for the aforementioned project in anticipation of future project funding to be identified as "Shovel Ready", and;

WHEREAS, the City Manager has been previously designated as the City's authorized representative as approved by the Franklin, New Hampshire City Council, as specified in previously approved in Resolution #02-20.

THEREFORE, BE IT RESOLVED, that at the scheduled meeting of the City Council on May 3, 2021, the City Council of the City of Franklin, New Hampshire does hereby adopt resolution 17-21.

By a roll call vote.

Resolution #17-21

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Roll Call:

Councilor Starkweather

Councilor Desrochers

Councilor Zink

Councilor Brown

Councilor Chandler

Councilor Trudel

Councilor Clarenbach

Councilor Testerman

Councilor Bunker

Approved: _____

Interim Mayor

Passed: _____

I certify that said vote has not been amended or repealed and remains in full force and effect as of the date of this Certification and that Katie A. Gargano is the City Clerk for the City of Franklin, Franklin, New Hampshire.

A true copy, attested: _____

City Clerk

Date: _____



CITY OF FRANKLIN, NEW HAMPSHIRE
"The Three Rivers City"

316 Central Street
Franklin, NH 03235

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

RESOLUTION 02-20

A Resolution authorizing the City Manager to file an application(s) under the State of New Hampshire Drinking Water State Revolving Fund (DWSRF) Program and designating the City Manager as the authorized representative.

WHEREAS, the City of Franklin, Franklin, New Hampshire after thorough consideration of the nature of its water system needs, hereby determines that the undertaking of certain works, generally described as New Hampton Road Water Main Replacement Project is desirable and in the public interest, and to that end it is necessary to apply for assistance from the State of New Hampshire Drinking Water State Revolving Fund (DWSRF); and

WHEREAS, the City of Franklin has examined and duly considered the provisions of RSA 486:14 and the New Hampshire Code of Administrative Rules Chapter Env-Dw 1100, which relate to loans from the Drinking Water State Revolving Fund and deems it to be in the public interest to file a loan application and to authorize other actions in connection therewith; and

the Franklin City Council, Franklin, New Hampshire, the governing body of said City as follows:

1. That Judie Milner, City Manager for the City of Franklin, NH is hereby authorized on behalf of the City of Franklin to file an application for a loan to be made in accordance with New Hampshire Code of Administrative Rules Chapter Env-Dw 1100.
2. That if such loan be made, the City of Franklin, NH agrees to repay the loan as stipulated in the loan agreement.
3. That the said City Manager is hereby authorized to furnish such information and to take such other action as may be necessary to enable the City of Franklin to qualify for the loan.
4. That the City Manager is hereby designated as the authorized representative of the City of Franklin for the purpose of furnishing such information, data and documents pertaining to the applicant for a loan as may be required; and otherwise to act as the authorized representative of the City of Franklin in connection with this application.
5. That certified copies of this resolution be included as part of the application to be submitted for such loan.
6. That if such loan be made, the City of Franklin, NH agrees to make provisions for assuming proper and efficient operation and maintenance of the facilities after completion of the construction thereof.

Resolution 02-20

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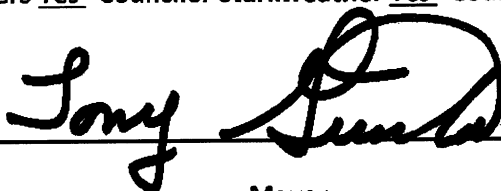
Roll Call:

Councilor Brown Yes Councilor Dzujna Yes Councilor Ribas Yes

Councilor Clarenbach Yes Councilor Lauer-Rago Yes Councilor Testerman Yes

Councilor Desrochers Yes Councilor Starkweather Yes Councilor Trudel Yes

Approved: _____

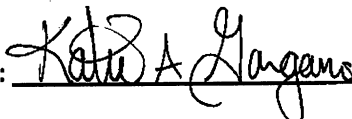


Mayor

Passed: July 1, 2019

I certify that said vote has not been amended or repealed and remains in full force and effect as of the date of this Certification and that Katie A. Gargano is the City Clerk for the City of Franklin, Franklin, New Hampshire.

A true copy, attested: _____



City Clerk

Date: _____

July 1, 2019

CITY COUNCIL MEETING
AGENDA ITEM VI



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of April 5, 2021

Subject: Other Business

- 1. Council Appointments**
- 2. Committee Reports**
- 3. City Manager's Update**
- 4. Late Items**

Adjournment

CITY COUNCIL APPOINTMENTS

Library Board of Trustees

Appointments:

Motion: "I move that the Franklin City Council appoint Sandra Burney (Seat #LT1) to the Library Board of Trustees. Term of service is three years to January 2024."

Motion: "I move that the Franklin City Council appoint Christine Dzujna (Seat #LT2) to the Library Board of Trustees. Term of service is three years to January 2024."

Capital Improvement Plan (CIP) Committee

Appointments:

Motion: "I move that the Franklin City Council appoint Kathy Fuller (Seat #Ci8) to the Capital Improvement Plan (CIP) Committee. Term of service is to October 2022.

Motion: "I move that the Franklin City Council appoint Leigh Webb (Seat #Ci9) to the Capital Improvement Plan (CIP) Committee. Term of service is to October 2023.



CITY OF FRANKLIN
COUNCIL AGENDA REPORT
City Council Meeting April 5, 2021

Date: March 30, 2021

From: Judie Milner, City Manager

Subject: City Manager's Update

- 1) Contingent Grant Line Activity – \$5000 from AmeriHealth Caritas for Drug Take Back Lock Box Campaign; \$100 Hannaford gift card from Groups Recover Together for Drug Task Force; \$125 from Innate Therapeutic Services for the Drug Task Force
- 2) Trust fund for school funding – \$142.06
- 3) Wonderful job Kandyce Tucker & Barbara Slayton - Drug Task Force presentation 3/22/21
- 4) 3/24, Captain Goldthwaite send off
- 5) COVID update – Municipal Worker clinic 4/8
- 6) Drug Take Back Day – 4/24 10am-2pm – new this year “Resource Fair”
- 7) Next Council Workshop
- 8) Upcoming Retirement – Best Wishes Cheryl Fisher P&Z Admin Secretary
- 9) City Clerk's Office Delayed Opening of 1pm, Wed, April 7th due to required State training
- 10) Media Connections - Choose Franklin Spotlight; Laconia Daily Sun Article featuring Officer Tracy and Comfort Dog Miller; NH Business Review, Resilient

NH edition, featuring White Water Kayak Park; Gear Junkie article featuring White Water Kayak Park; WMUR; Boston Globe

- 11)** Metrocast Franchise Agreement Renewal – consortium kick off meeting
- 12)** Property Disposition Results & Update
- 13)** Lakes Region Conservation Trust easement update
- 14)** Opportunity Zone marketing video shoot through Cookson Communications – shout out to Jo Brown, Eric Chinburg, Damon Lewis, Marty Parichand, and Todd Workman for taking time out of their busy schedules to talk about why they were early adopters in downtown Franklin. Also thank you to the City's core team Dick Lewis, Niel Cannon and Jim Aberg.
- 15)** Elks Award Social – 4/23 5pm, Citizens of the Year, congratulations Officer Tracy, Sgt Guerrerio, and K-9's Falco & Miller
- 16)** Mill City Park Update – Land Construction, Water Construction
- 17)** Stevens Mill Update – 79E covenant, Developers Agreement, P&S
- 18)** Budget Update – American Rescue Plan Act; dates
- 19)** Legislative Update