



City Council Meeting Minutes Monday, June 5, 2023 - 6:00 p.m. Council Chambers, City Hall

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

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 6:03 p.m. and stated that the opening for this meeting will be a little different than usual.

Salute to the Flag was led by Councilor Chandler. This was immediately followed by a moment of silence for the victims after the tragedy that occurred on Saturday, June 3, 2023.

Police Chief Goldstein approached the council and the public to lay out exactly what happened on Saturday with the exception of any information he is not able to divulge due to this being an ongoing investigation still. He thanked the departments that, in many ways, self-deployed to help with this incident; The NH State SWAT and Major Crime unit, Bristol PD, Boscawen PD, Tilton PD, Northfield PD, Webster PD, Warner PD, Andover PD, and the Alcohol, the Tobacco and Firearms.

He stated that at no time did they think that the public was in danger, however, they did know that the suspect was armed and dangerous. Per an experience dispatch staff, they were able to track this individual's movements. As many of you already know, he was found and had taken his own life. It is always a tragedy when children are involved and this is about as bad as it gets.

Goldstein thanked all of the members of the Franklin Police department and the Franklin Fire department, who stayed for about 36 hours without sleep.

He answered a few questions from the council as well. He did let the council know that normally they use Nixle to post updates for the public and in this instance, they never had the time to post.

Councilor Desrochers stated that no veterans passed away in this past month.

Public Hearings:

Mayor Brown stated that the first public hearing was regarding a CDBG grant project and would be presented by CDBG Consultant, Donna Lane.

Donna Lane stated that there was an informational document available to the public as a handout and this is attached to the end of the minutes. She also provided the description after each public hearing below.

Public Hearing on the Proposed Healthfirst Family Care Center Improvements:

The public hearing opened at 6:10 p.m.

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 Housing Projects, up to \$500,000 for Public Facility Projects, up to \$500,000 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 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 Healthfirst Family Care Center, located at 841 Central Street in Franklin, NH toward financing improvements to the facility. The majority of the persons served by Healthfirst at this location are of low and moderate income.

This project conforms with Franklin's Housing and Community Development Plan's goals of: Promote activities that protect the health and safety of residents and visitors (Short-term and Long-term goal)

Mayor Brown asked opened this hearing up for public comment.
No comments ensued.

The public hearing closed at 6:12 p.m.

Public Hearing on the Residential Antidisplacement and Relocation Assistance Plan for the Proposed Healthfirst Family Care Center Improvements:

The public hearing opened at 6:12 p.m.

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. Healthfirst will move clients around the building during renovations and see some clients in Laconia.

Mayor Brown asked opened this hearing up for public comment.
No comments ensued.

The public hearing closed at 6:13 p.m.

Public Hearing on the Housing and Community Development Plan:

The public hearing opened at 6:13 p.m.

A Housing and Community Development Plan no older than 3 years old is required to be eligible to apply for CDBG funds. The current HCDP is 3 years old so it needs to be re-adopted. The Housing and Community Development Plan (HCDP) identifies needs, which currently exist or are anticipated during the next three years. The Plan provides a basis for guiding the City's housing and community development objectives and actions. In addition, the Plan includes a CDBG Citizen Participation plan that details the CDBG requirements for public hearings.

Goal: The City of Franklin wishes to remain a balanced community with a high quality of life for all residents (Long Term & Short-Term Goal)

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. (Long Term & Short-Term Goal)

Goal: Encourage municipal and private water and wastewater systems that are safe, sanitary and that meet DES regulations. (Short-term and Long-term goal).

Goal: Preserve and promote the City's historically and culturally significant structures. (Short-term and Long-term goal).

Goal: Encourage economic development activities to retain and increase quality industrial and commercial development. Encourage the expansion and retention of employment opportunities for residents. Encourage employee readiness through education and training. Encourage downtown revitalization (Short-term and Long-term goal).

Goal: Promote activities that protect the health and safety of residents and visitors, including improved traffic, parking, and sidewalks. (Short-term and Long-term goal).

Goal: Address public facility and social service improvement and coordination that will benefit the residents of Franklin. Encourage affordable daycare options for residents. (Short-term and Long-term goal).

Goal: Encourage town recreational activities. (Short-term and Long-term goal).

Mayor Brown asked opened this hearing up for public comment.

No comments ensued.

The public hearing closed at 6:15 p.m.

Public Hearing on the Progress of the Parking Area Project:

The public hearing opened at 6:15 p.m.

The CDBG project for improvements, including parking, lighting, and landscaping to City owned parcels on Memorial and Canal Streets in Downtown Franklin began last month and is expected to be substantially complete at the end of June.

Mayor Brown asked opened this hearing up for public comment.

No comments ensued.

The public hearing closed at 6:16 p.m.

Milner requested that Agenda Item III be moved up to be able to vote on this before the budget hearing since Donna Lane needed to stay for this vote.

Agenda Item III.

Council to consider Healthfirst CDBG grant application, relocation, and development plan.

Motion – Councilor Ribas moved 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. Seconded by Councilor Trudel.

Mayor Brown asked if there was any discussion.
No discussion ensued.

All in favor. Motion PASSED.

Motion – Councilor Ribas moved that the Franklin City Council adopt the Antidisplacement and Relocation Assistance Plan. Seconded by Councilor Dzujna.

Mayor Brown asked if there was any discussion.
No discussion ensued.

All in favor. Motion PASSED.

Motion – Councilor Ribas moved that the Franklin City Council adopt the Housing and Community Development Plan. Seconded by Councilor Trudel.

Mayor Brown asked if there was any discussion.
No discussion ensued.

All in favor. Motion PASSED.

The council returned to Public Hearings:

Ordinance 01-24 regarding an Amendment to the Franklin Municipal Code, Chapter 160, Fees, 160-1, Fees charged for services by the City of Franklin Water and Sewer Department.

The public hearing opened at 6:19 p.m.
There was no discussion on this hearing.
The public hearing on Ordinance 01-24 closed at 6:19 p.m.

Ordinance 02-24 regarding an Amendment to the Franklin Municipal Code, Chapter 160, Fees, 160-1, Fees charged for services by the City of Franklin; Transfer Station, Notary, Yard Sale, and Outside Police Detail fees.

The public hearing opened at 6:19 p.m.

There was no discussion on this hearing.

The public hearing on Ordinance 02-24 closed at 6:20 p.m.

Resolution 01-24 regarding the proposed Fiscal Year 2024 budget.

The public hearing opened at 6:20 p.m.

There were statements from the public about items listed in the proposed FY24 budget. One resident reminded the council that they are going to need to look at the school budget for the next fiscal year since they will no longer have some of the grant funding that they have been relying on recently.

Milner answered questions about some of the line items and reports on the budget as well. One clarification was regarding funds in the budget that went towards the White-Water Park. Milner explained that the city has received many grants for the White-Water Park and those funds have to be appropriated through the city, which is why they show on the budget report. The exact number on the revenue side is also on the expenditure side since it was paid for by a federal grant, which is called gross budgeting.

The public hearing on Resolution 01-24 closed at 6:48 p.m.

Legislative Update:

The NH representative was not present for an update.

Comments from the Public:

Public comments opened at 6:49 p.m.

Councilor Dzujna read a letter regarding the proposed \$20M bond, which is included at the end of the minutes.

Many residents approached the council to discuss other issues:

- One resident discussed her thoughts on city council minutes, stating that she thinks they are too vague and did not agree that draft minutes should not leave the building, and must be read at City Hall.
- There was a discussion about there being a conflict of interest with certain elected officials who sit on other boards of non-profit businesses. Because of this, a few residents believe that these members should recuse themselves from voting on the \$20M bond since the appropriations would go towards the boards that they sit on. The boards include Mill City Park, Footlight Theater and the Franklin Opera House.
- A statement was made by a resident that they do not feel that the taxpayers should have to pay for the salaries of non-profit businesses.
- There was a recommendation for a community garden. Vanessa Hollands spoke about the Franklin Junior Youth Group working on a project for an edible garden as well. She also mentioned that they will be donating cans for the food pantry.
- Dan Darling, resident and Franklin Opera House Director, wanted to correct some misconceptions that have been going around. He stated that he does not get paid from

city funds whatsoever and does not plan to receive any funds from the city from the proposed \$20M bond. He also mentioned that the building would be paid for in bond monies for infrastructure and code updates, but anything to do with the Opera House will be paid by the Opera House only and NOT the city.

- Karen Darling gave an update on there being a new secretary for the Historical Society along with QR codes on buildings to be able to see what they once looked like. She also added that the Historical Society plant sale will be coming up on June 25th.
- Karen Darling also gave a reminder that the Anti-hate group has public meetings on the 3rd Wednesday of every month. This will be for educating, but can also be for instances where people would like to bring something up. Anyone can drop in for these meetings.
- Resident Marie Danforth read a letter that she had sent to the Ward I councilors. This letter is attached to the end of the minutes.

Partners in Prevention Coordinator, Stephanie Wolff, gave the council some updates:

- On May 13th, during Community Day, Partners in Prevention administered the first round of their community survey. There was a good turnout of about 30 surveys completed. Surveys will also be administered at Winni River Days and National Night Out.
- May 13th was also the Franklin High School Chem-Free After Prom. It was a successful event with about 35 students attending.
- On May 24th Franklin Partners in Prevention held a youth focus group at the Franklin High School to get student insight on the substance use trends occurring within their youth population. There were 9 participants and it went very well. She looks forward to compiling and presenting this data along with their most recent YRBS data later this year.
- Next Week she and coalition member, Christine Dzujna, will head back to Boston for their second week of the CADCA National Coalition Academy. There they will continue to use the data collected to learn new prevention strategies to bring back to the community. She looks forward to reporting back next month.
- June 17th is the annual Step-By-Step 5k for Prevention. If anyone is interested in walking or running in this Fun Run, please visit the city website or the Partners in Prevention Facebook page for registration information. You can also register day-of starting at 8:30 AM. She stated that she is looking for volunteers to work this event so if anyone is interested, please reach out to her.
- August 1st is National Night Out. Franklin Partners in Prevention, Franklin Police Department and Franklin Fire Department are teaming up to plan this family friendly community event. This event will occur at Odell Park from 5pm to 8pm. If there are any questions or if anyone would like to donate or sponsor to this event, please feel free to reach out.

Lastly, a resident asked the council about how to get the \$20M bond on the ballot for citizens to be able to vote on it. Milner answered stating that nothing about this proposed bond has been presented or brought before the council as of yet. It has only been discussed in public forums. It is too late to add this to the ballot for this year, but it would be possible to add it for next year's election.

Councilor Desrochers added that there is a way to get it on the ballot by getting together a petition and let the resident know he would provide her with the information.

Public comments closed at 7:36 p.m.

City Council Acknowledgement:

Councilor Dzujna acknowledged Choose Franklin again this year for stepping up and footing the bill for the flowers that are hanging on the poles downtown. They are also footing the bill for the watering of those flowers. He thanked Choose Franklin for that.

Mayor's Update:

Mayor Brown read the following statement to the public:

Truth is a five-letter word. What does it mean to us? Do we think as a community that it is important to live by truth? Will our community be a better place to live if we are concerned about truth, and try to make that a guiding principle for our everyday lives? It seems that we have somehow forgotten about truth – that it is a statement of what **IS** - not of what we want it to be. We seem to ignore the hurt and harm that can come from misstating facts, from slandering our neighbors because they have a different opinion from us to perpetuating positions that advance their own narrative to the exclusion of other thoughts and positions. I want to read a comment from the book **'Strong Cities' by Charles L Marohn Jr.:**

"As people seek out the social settings they prefer, as they choose the group that makes them feel most comfortable-we become segregated-and the growth and potential solutions that could come out of a reasonable dialog based on a variety of valid input, is lost to the righteousness that is seen as an entitlement of each group and their ideology. We tend to live in and congregate with only those folks who share our narrative. When we don't hear or listen to opposing viewpoints presented authentically and based on fact, and thus do not fit our narrative, then these beliefs are ridiculed, distorted, and dismissed.

Is that how we want to treat our fellow citizens? It is absolutely ok to disagree – many valid inputs make up a strong final position, but are we listening to our fellow citizens - are we taking the time to talk with them before we slander them – and if not, why not?"

Earlier this year you will recall that there was a Police union vote of no-confidence in our police department and city leadership. For the most part, when our city councilors were contacted by the press, they issued no comment as it was an ongoing investigation, however the council was briefed in non-public session about the rest of the story. I would like to read to you the official

statement from our City Attorney regarding that incident that, while sent to the same media outlets that published the original story, have not to date published this statement:

“The City of Franklin is aware of a number of allegations on the part of former police officer Jacob Drouin. The city does not normally comment on personnel matters or release records relating to specific personnel, but in this case, Mr. Drouin initiated a campaign of public criticism of the Department’s administration which also resulted in multiple media requests for information pertaining to Mr. Drouin’s criticisms, particularly his claim that he was being discriminated against because of his union activity. In fact, the City has a history of amicable dealings and negotiations with its unionized employees and their representatives. In the present case, Mr. Drouin was subject to disciplinary action because of misrepresentations that he made to his superiors within the Police Department involving a worker’s compensation claim that he filed during the summer of 2023. Those untruthful statements were repeated in an official proceeding before the New Hampshire Department of Labor and have been disproven both through the use of videotape evidence and Mr. Drouin’s failure to successfully pass a polygraph or “lie detector” examination, which was conducted by an independent examiner not associated with the City of Franklin or its Police Department. Because the City believes that Mr. Drouin’s public statements have improperly impacted the reputation of the Police Department, its administration, the City Manager and perhaps others, the City today is releasing documentation showing his claims to be demonstrably false.

Mr. Drouin is no longer employed in any capacity by the Franklin Police Department or the City of Franklin.”

On another front, there continues to be some misunderstanding of the proposed \$20M bond that the Economic Development Committee is proposing. City Manager Milner will address that in her comments later, but again, in the interest of truth, I would like to address some comments that were in a letter recently sent to The Laconia Sun.

1. This proposal will break the tax cap and permanently raise the tax rate:

This measure will not break the tax cap – Charter Paragraph C-32-b. Exception to budget limitation. The total or any part of principal and interest payments of any municipal bond, whether established for school or municipal purposes, may be exempted from being included in expenditures subject to the prior limitation upon a two-thirds vote of the Franklin City Council. This decision shall be made annually. Additionally, capital expenditures deemed necessary by the Franklin City Council may similarly be exempted from this limitation by a two-thirds vote. It will, however, increase taxes collected – that is true, but it is allowed under our tax-cap structure and necessary for our city to continue to provide services to our citizens. It will raise the tax rate.

2. The tax burden will affect all residents, including renters:

That is true, BUT if we can shift that portion of the taxes away from the home owner and more on the emerging commercial sector, then that tax burden becomes less on the individual taxpayer. To put it simply, new business, like the Stevens Mill Development and tourists to our city puts more money in our tax base through property taxes and Rooms and Meals, etc., which means they pick up more of the tax burden.

3. The interest on this bond will cost tax-payers \$7.3 million:

Yes, it could. It depends on the frequency of payments, final interest rate and amount bonded. It could be greatly reduced if we made quarterly payments and will depend on the investor or lending institution. We would bid for the best solution for Franklin.

4. The public has not been given a list of needed repairs:

A complete list of needed repairs to all proposed projects has not been finalized, however the road repairs are listed in the CIP; there is a dated report on the Opera House that highlights some long-term issues and that is being updated now through the RFP process as we speak. A review of needed repairs to the Trestle Bridge was presented at a public forum last fall by McFarland Johnson Engineers and is available at City Hall. The Trestle Bridge and City Hall have been presented at many meetings to date.

5. We were told that tax money will not be used for the Water Park:

That is true and was addressed by Neil Cannon at the last public Economic Development Forum. The plan was to try to do the entire project with grants and other funding mechanisms. The funding landscape has now changed, however, and the city is still pursuing funding opportunities and has already received over \$75M in new downtown investment as a result of the work done to date on the white-water park **funded through outside sources**. Remember too, that these new investments in restaurants, E-bikes, and Stevens Mill will add a projected \$487,800/year to the tax base over time.

6. It is not known how much of the bond is being used for emergent repairs:

That will be determined once RFPs for the proposed projects are secured. A list has been widely circulated that proposes \$5M for the City Hall/Opera House; \$9M for roads; \$3.5 for the Trestle Bridge and \$2.5 for the White-Water Park. It is important to note that all repairs are a result of deferred maintenance except for the WWP which is the only project that **has and will have** a return on investment. Certainly, down the road the Opera house portion of City Hall has the potential to have a ROI as well.

7. The city does not specify a Rate of Return on the Investment:

The ROI will depend on the bond amount, but look at this another way. Your home is worth more with a new road; less vehicle repairs with new pavement; a reduction in risk/liability of a failing trestle bridge that, if it collapses into the river would be a major environmental cleanup. Remember too, that since 2015 the ROI was projected for the WWP by the Department of Economic Development in Concord, which was \$6.3 M direct spending once the project was completed. Enhancements to the Opera House to bring in shows to a renewed venue, and the continuing economic development we are continuing to see, again from the WWP, also brings in more taxes while not utilizing services like, school, trash, etc. The residents should not bear most of the burden of taxes. But we need to get there, as the developer of the Stevens Mill Eric Chinburg, said in our last economic forum, the city needs to invest in itself – it needs to have skin in the game.

Again, from **Strong Cities**:

“Improving the collective value of the place is a requirement if the city is to become stronger and more prosperous.”

Again, the City Manager will be telling us about more opportunities for all of Franklin to come and learn the truth about this Bond Proposal.

I will end with this thought from Socrates – many of you may be familiar with it, but I think it bears repeating:

‘Once upon a time in ancient Greece, one of the acquaintances of the great philosopher Socrates came up to him and said: “Socrates, do you know what I just heard about one of your students?”

“Hold on a moment,” Socrates replied. “Before you tell me, I would like to perform a simple test. It is called the ‘Three Sieves Test.’”

“The ‘Three Sieves Test?’ ”

“Yes. Before you say a word about my student, take a moment to reflect carefully on what you wish to say by pouring your words through three special sieves.”

“The first sieve is the Sieve of Truth. Are you absolutely sure, without any doubt, that what you are about to tell me is true?”

“Well, no, I’m not. Actually, I heard it recently and...”

“Alright,” interrupted Socrates. “So, you don’t really know whether it is true or not. Then let us try the second sieve: the Sieve of Goodness. Are you going to tell me something good about my student?”

“Well...no,” said his acquaintance. “On the contrary...”

“So you want to tell me something bad about him,” questioned Socrates, “even though you are not certain if it is true or not?”

“Err...”

“You may still pass the test though,” said the Socrates, “because there is a third sieve: the Sieve of Usefulness. Is what you want to tell me about my student going to be useful to me?”

“No. Not so much.” said the man resignedly.

Finishing the lesson, Socrates said: “Well, then, if what you want to tell me is neither true nor good nor useful, why bother telling me at all?”

Mayor Brown called a 15-minute break at 7:53 p.m.

The meeting reconvened at 8:05 p.m.

Agenda Item I.

Approval of Minutes.

Council to consider the minutes of the May 1st, 2023 City Council meeting, the May 3rd, 2023 City Council Special meeting, and the May 8th, 2023 City Council Special meeting.

Motion - Councilor Dzujna moved that the Franklin City Council approve the minutes of the May 1st, 2023 City Council meeting, the May 3rd, 2023 City Council Special meeting, and the May 8th, 2023 City Council Special meeting. Seconded by Councilor Ribas.

There were a couple of corrections that had already been sent to the Executive Secretary to amend.

All in favor; Motion PASSED.

Agenda Item II.

School Board Update.

Superintendent LeGallo gave the following updates:

- **Thoughts & Prayers:** LeGallo wanted to first send out thoughts and prayers to their kindergarten student who is recovering from the tragedy of this past weekend.
- **Unified Volley Ball Team:** LeGallo recognized their Unified Volley Ball team for making it to the State Championship game, which is their first State Championship since 2018. Franklin lost to Oyster River 2 matches to 1 in a hard-fought contest.
- **Wizard of Oz Production:** They had their first district wide musical since COVID hit in 2020. Over 80 students participated in 6 shows with a total audience of 784 spectators.
- **Youth Government:** LeGallo thanked the city for their participation in Youth Government week.
- **State Budget:** The school district is disappointed with that they are hearing regarding the state budget and education funding. The House version was very favorable to Franklin, but the latest version coming out of the Senate is approximately one million below what they would be receiving from the House version. There is no immediate impact as this version still is above their estimates and projections for FY24, but there are long term negative consequences if this version is passed by the full Legislature.
- **Upcoming Dates:**
Partnering with the City to paint crosswalks – June 9th at 9am
Class Day Parade – June 15th at 12:30pm

High School Graduation – June 16th at 6pm at the FHS field

8th Grade Graduation – June 21st at 6pm at the Middle School

Agenda Item IV.

Council to consider Ordinance 01-24 regarding an Amendment to the Franklin Municipal Code, Chapter 160, Fees, 160-1, Fees charged for services by the City of Franklin Water and Sewer Department.

Motion - Councilor Ribas moved that the Franklin City Council adopts ordinance 01-24 relating to FY2024 budget water commodity and sewer disposal rates and fees. Seconded by Councilor Blake.

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

There was a discussion about the sewer rates based on the State budget approval. The rate in the budget is what the House and Senate have right now for the Winnepesaukee River Basin program. Hopefully, by reaching out to the Senators, they can get the appropriation reduced. The state budget has not been passed so this is the worst-case scenario budget for the city.

Milner urged citizens again to contact Senator Innis about this. If the rate were to be changed, the city could relook at the sewer rates again.

By a roll call vote.

Roll Call:

Councilor Blake	<u>yes</u>	Councilor Desrochers	<u>no</u>	Councilor Starkweather	<u>yes</u>
Councilor Webb	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Trudel	<u>no</u>
Councilor Chandler	<u>yes</u>	Councilor Ribas	<u>yes</u>	Councilor Zink	<u>no</u>

6 in favor; 3 opposed. Motion PASSED

Agenda Item V.

Council to consider Ordinance 02-24 regarding an Amendment to the Franklin Municipal Code, Chapter 160, Fees, 160-1, Fees charged for services by the City of Franklin; Transfer Station, Notary, Yard Sale, and Outside Police Detail fees.

Motion - Councilor Ribas moved that the Franklin City Council adopt ordinance 02-24 relating to FY2024 budget Chapter 160 fee changes. Seconded by Councilor Trudel.

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

Councilor Desrochers stated that if they are continuing to not charge fees for vendors at events

that they should remove the yard sale fee to residents.
There was a small discussion on this matter.

Motion – Councilor Desrochers moved that the Franklin City Council amend Ordinance 02-24 to eliminate the yard sale fee for residents. Seconded by Councilor Starkweather.

5 in favor; 4 opposed. Motion PASSED

Mayor Brown stated that there was a roll call vote needed for the motion that was still on the table as amended.

By a roll call vote.

Roll Call:

Councilor Blake	<u>yes</u>	Councilor Desrochers	<u>yes</u>	Councilor Starkweather	<u>yes</u>
Councilor Webb	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Trudel	<u>yes</u>
Councilor Chandler	<u>yes</u>	Councilor Ribas	<u>yes</u>	Councilor Zink	<u>yes</u>

All in favor. Motion PASSED

Agenda Item VI.

Council to consider Resolution 01-24 regarding the proposed Fiscal Year 2024 budget.

Motion - Councilor Ribas moved that the Franklin City Council Adopt resolution 01-24 appropriating the City's FY2024 budget which begins on July 1, 2023. Seconded by Councilor Blake.

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

Councilor Webb announced that as the president of the Franklin Historical Society it may be a conflict of interest to vote on this budget.

Motion - Councilor Webb moved that the \$250 in this budget that is allocated to the support of the Franklin Historical Society be withdrawn so that he can vote on the budget. Seconded by Councilor Ribas.

The councilors all agreed that they did not have a problem with Councilor Webb voting on the budget with this allocation.

All opposed. Motion FAILED.

Motion – Councilor Desrochers moved that the Franklin City Council remove \$500,000 out of the fund balance of the City Manager's Proposed FY24 budget to repair Cheney Hill. Seconded by Councilor Trudel.

There was a discussion about being able to appropriate this amount via a resolution in August once there is a better idea of fund balance at that time. The sewer project will not be happening until that time frame as well, and it would be best to repair the road after the sewer project.

7 opposed; 2 in favor. Motion FAILED

There was a final discussion where the council did agree that employees need to be paid much better and have a better quality of life balanced with work. The increase in pay would also help to fill open positions.

By a roll call vote.

Roll Call:

Councilor Blake	<u>yes</u>	Councilor Desrochers	<u>no</u>	Councilor Starkweather	<u>yes</u>
Councilor Webb	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Trudel	<u>no</u>
Councilor Chandler	<u>yes</u>	Councilor Ribas	<u>yes</u>	Councilor Zink	<u>no</u>

6 in favor; 3 opposed. Motion PASSED

Agenda Item VII.

Council to consider setting a public hearing for Resolution 02-24 appropriating \$30,173.38 to the Franklin School District fiscal year 2024 budget.

Motion – Councilor Dzujna moved that the Franklin City Council set a public hearing for July 10th, 2023 at 6pm in Council Chambers for Resolution #02-24 appropriating \$30,173.38 to the Franklin School District fiscal year 2024 budget. Seconded by Councilor Ribas.

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

All in favor. Motion PASSED

Mayor Brown read Resolution 02-24 into record:

RESOLUTION # 02-24

A Resolution Granting Authority to Accept and Appropriate \$20,000 from The New Hampshire Education Department (NHED) for funding Beyond School Enrichment programs and \$10,173.385 for Leaning into Literacy Grant.

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

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$20,000 for the Franklin High School from NHED for a Gaming Club program and,

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes that the school district will receive \$10,173.38 for the Paul Smith Elementary School from NHED for a Leaning Into Literacy program and; **Now**,

THEREFORE, BE IT RESOLVED, *that at a regularly scheduled meeting of the City Council on July 10, 2023, the City Council of Franklin New Hampshire does hereby vote to adopt resolution #02-24 to formally accept and appropriate \$30,173.38 of additional revenues for the Franklin School District as follows:*

An Increase in Revenues:

New Hampshire Education Department of Thirty Thousand, One Hundred Seventy-three Dollars and Thirty-Eight Cents (30,173.38).

An Increase in Expenditures:

School District Expenditures – Thirty Thousand, One Hundred Seventy-three Dollars and Thirty-Eight Cents (30,173.38).

Agenda Item VIII.

Council to set a public hearing on Resolution 03-24 establishing an Industrial Park Tax Increment Financing District Advisory Board.

Motion – Councilor Ribas moved that the Franklin City Council set a public hearing for 6pm on Monday, July 10, 2023, regarding resolution 03-24 appointing the 5-member advisory board & roles of the advisory board per section XX of the Development Program and Financing Plan for the Franklin Business Park & Industrial Tax Increment Finance District. Seconded by Councilor Dzujna.

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

All in favor. Motion PASSED

Mayor Brown read Resolution 03-24 into record:

RESOLUTION #03-24

A Resolution Relating to Establishing a Tax Increment Financing District Advisory Board for the Industrial Park.

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

WHEREAS, the City Council of the City of Franklin adopted Franklin Business Park & Industrial Tax Increment Finance District (District) under RSA 162-K on February 4, 2013, and;

WHEREAS, the City Council of the City of Franklin, New Hampshire wishes to establish the advisory board for the District according to the provisions of section XX of the Development Program and Financing Plan for the District, and;

WHEREAS, the City Council of the City of Franklin, New Hampshire recognizes the advisory board shall consist of 5 (five) members with a majority of the membership to include owners and occupants of real property within or adjoining the district and a majority of members must be residents of the City of Franklin, Now,

THEREFORE, BE IT RESOLVED that at the scheduled meeting of the City Council on Monday, July 10, 2023, the City Council of the City of Franklin, New Hampshire does hereby adopt resolution 03-24 naming the following individuals to the advisory board of the Franklin Business & Industrial Tax Increment Financing District:

Steve Crowley	Watts Water Technologies	Owner
Ryan Dillon	Dillon's Creations	Owner/Resident
Jeremy Laucks	Black Fly Canoes	Owner
Mike Mullavey Jr	FBIDC Board	Owner/Resident
Jim Aberg	FBIDC/FDI	Resident

Further, the Council does hereby adopt the following roles and responsibilities of, and procedures for said Board:

1. The Board shall advise the City Council and the District Administrator in the planning, design, construction, and implementation of development program, and for the operations and maintenance of district after it has been completed;
2. The Administrator and the Ex Officio members of the Board shall provide guidance and professional assistance to the full Board.
3. In instances where the majority of the Board believes that the Administrator or the Ex Officio members have not sufficiently considered the Board's recommendation, they may, by a majority vote, refer the matter to the City Council for final action. If the Board and the Administrator cannot come to an agreement on the Board recommendation within 21 days, then such a referral may be made. This 21-day period may be extended for 14 days upon agreement of the Board, the Administrator, and the Ex Officio member. For each TIF project brought to the City Council, a good-faith effort shall be made by the Board, the Ex Officio members, and the Administrator, to present a unanimous recommendation to the Council.

Agenda Item IX.

Council to authorize the issuance of dog civil forfeitures for failure to license.

Motion – Councilor Ribas moved that the Franklin City Council allow the City Clerk to issue Civil Forfeitures to dog owners that have not licensed their dog(s) per NHS RSA 466:14 as follows:

The town or city clerk shall annually, between June 1 and June 20, present to the local governing body a list of those owners of dogs that have failed to license or not renewed their dog licenses pursuant to RSA 466:1. The local governing body shall, within 20 days from June 20, issue a warrant to a local official authorized to issue a civil forfeiture for each unlicensed dog. The warrant may also authorize a local law enforcement officer to seize any unlicensed dog. The civil forfeiture may be sent by certified mail, or delivered in hand, or left at the abode of the dog owner. The cost of service shall not exceed \$7 and may be recovered by the city or town in addition to the amount of the civil forfeiture. If the unlicensed dog is seized, it shall be held in a town or city holding facility for a period of 7 days, after which time full title to the dog shall pass to the facility, unless the owner of the dog has, before the expiration of the period, caused the dog to be licensed. The owner shall pay the facility a necessary and reasonable sum per day, as agreed upon by the governing body of the town or city and the facility, for each day the dog has been kept and maintained by the facility, plus any necessary veterinary fees incurred by the facility for the benefit of the dog. Before a local law enforcement officer seizes any unlicensed dog, a written warning shall be given to the dog. Seconded by Councilor Dzujna.

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

City Clerk Stanyan explained that this had not ever been done by the previous clerk and possibly any before then. She had done these annually, which is required by the state, in another community where she worked. It is standard practice throughout the state. This will be effective at cleaning up the list of over 500 dogs that have not been re-licensed in Franklin, as some may have moved away or have passed.

All in favor. Motion PASSED

Agenda Item X.

Other Business:

1. Committee Reports

Councilor Dzujna stated that the MSD Committee meeting that was scheduled for May 24th had been cancelled and they will be setting up a new date and time soon.

Councilor Webb stated that at the last Legislative Committee meeting they discussed three things:

- The charter changes were tabled for now. This will need to be revisited in the future.
- The Code of Conduct, which was referred back to the committee, had a 3-0 vote to not codify the document and the committee will be referring it back to the council.
- On the election recount, the committee went line by line and notes were given to the City Manager to bring to the council.

Councilor Ribas stated that there was another Ad Hoc meeting about the City Manager's evaluation and they looked at the survey questions again. The number of questions was

narrowed down and he passed out these questions for employees to the council for review. This handout is included at the end of the minutes. He would like to have this as an agenda item for next month. The next meeting will be on June 27th.

2. City Manager's Update:

- Contingent Grant Line Activity – Received \$707.60 for the Sex Offender Compliance grant, \$1,500 for the kayak beautification project, \$50 for the Fire Department, \$821 from the Franklin Partners in Prevention annual event, \$182.25 for the Franklin Partners in Prevention Drug Takeback Day along with a \$50 donation for the Chem-Free After Prom event.
- Trust fund for school funding – \$271.69
- Congratulations: David Sabo & Mike Provencher from FD for completing AEMT courses, P&Z Director Creighton, who presented at the DES annual Drinking Water Source Protection conference.
- Committee Meetings – June: Police Committee meeting: TBD
Parks & Rec Committee: June 22nd at 10am at the Bessie Rowell
- Welcome: Nathan Ecker to the fire department.
- Tax Bills – These will be issued for the 1st half of the year and will be due on July 3rd, 2023.
- Shout Out – The Lodge of Elks for hosting Youth Government again this year, along with Kevin DeLange and the Department Heads for their participation, and Choose Franklin for the flowers.
- Random Acts of Community – Thank you to the Grevior's for providing weekly space for the economic Development Listening Sessions about the \$20M bond.
- Media contacts – All media contacts were used this month.
- Stanley Mill update – The City Manager's Economic Development group received the \$1.923M EPA grant, \$418,000 from InvestNH, and \$200,000 from DES. These three grants will be able to complete the project.
- City Hall Update – They received RFQs from 4 firms, which were interviewed. 3 of those firms were invited to submit cost proposals with a due date of June 16th and an award to take place the following week.
- Crosswalks – The painting of crosswalks is scheduled for Friday, June 9th from 9am – noon. These are the crosswalks between the Winni River Trail and City Hall. They will be solid

primary and secondary colors. She is still looking for donations of rollers, brushes and extension poles, which can all be returned.

- Right to Know – Milner addressed a public comment about this and reiterated that the law says that draft minutes need to be available for inspection, but the city does not have to let the minutes leave the building until approved. Draft minutes are always available to read at City Hall.
- Milner stated that there was no malfeasance on the behalf of the City Manager as far as city councilors attending the Economic Development invite only meeting. A few of the councilors are a part of the Franklin Falls Business Group and that entire group was invited to attend.
- There will be Q&A's that have come up along with a tax calculator for your home will be going on the city website. You will be able to plug in the value of your home and see how your taxes would be affected by the \$20M bond.
- City Manager Vacation – This is a reminder that Milner will be on vacation from June 22nd – July 7th. Finance Director/Deputy City Manager Gaudette will be acting as City Manager while she is out.
- Upcoming Economic Development forums:
Public Forum - June 19th at 6pm at the Lodge of Elks about the recommended bond
Listening Sessions – 6/29, 7/13, 7/27 from 4pm – 530pm possibly at the Waterhorse Pub
Workshop with the City Council & School Board – July 24th at 630pm in Council Chambers
- Non-Public Session Needed

3. Late Item – A late item is needed tonight and the info was given to the council.

4. Nonpublic Session Needed

Late Item:

Milner stated that there have been three requests for outdoor seating. The requests come from The Franklin Café, Waterhorse Pub, and Wyatt's. A copy of the Outdoor Dining License Application was given to the council and is also attached to the end of the minutes.

Milner stated that they are hoping that the council will approve this for this year and the policy can be put forward to the legislative Committee to see if it needs to be codified or not. The fees would need to be added to Chapter 160 as well.

There was a discussion about safety rules as far as the businesses using city property for seating, mainly the sidewalks. P&Z Director Creighton also explained this in greater detail to the council.

Motion – Councilor Ribas moved that the Franklin City Council approve the Outdoor Seating Application to be adopted with no fee for this season only. Seconded by Councilor Trudel.

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

A discussion ensued about the fee being waved and there were questions about running this through the legislative committee for the following years and having the application reviewed by the city solicitor first before approving for this year.

Councilor Ribas withdrew his motion. He recommended that a fee structure be put together for the council with the lease being looked at by City Attorney Fitzgerald.

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 (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. Seconded by Councilor Zink.

By a roll call vote.

Roll Call:

Councilor Blake	<u>yes</u>	Councilor Desrochers	<u>yes</u>	Councilor Starkweather	<u>yes</u>
Councilor Webb	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Trudel	<u>abstained</u>
Councilor Chandler	<u>yes</u>	Councilor Ribas	<u>yes</u>	Councilor Zink	<u>yes</u>

All in favor. Motion PASSED

Entered into nonpublic at 10:35 p.m.

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

All in favor. Motion PASSED

Public Session reconvened at 10:49 p.m.

Motion — Councilor Webb moved to seal the minutes. Seconded by Councilor Desrochers.

By a roll call vote.

Roll Call:

Councilor Blake	<u>yes</u>	Councilor Desrochers	<u>yes</u>	Councilor Starkweather	<u>yes</u>
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City Council APPROVED Meeting Minutes – June 5, 2023

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Councilor Webb	<u>yes</u>	Councilor Dzujna	<u>yes</u>	Councilor Trudel	<u>absent</u>
Councilor Chandler	<u>yes</u>	Councilor Ribas	<u>yes</u>	Councilor Zink	<u>yes</u>

All in favor. Motion PASSED

Motion — Councilor Ribas moved that the Franklin City Council authorize the City manager to sell back the tax deeded property, Lot# 77-406 to the family of Elaine Rogers for back taxes plus penalty and interest. Seconded by Councilor Dzujna.

All in favor. Motion PASSED

ADJOURNMENT:

Motion to adjourn was made by Councilor Webb and seconded by Councilor Ribas.

All in favor. Motion PASSED.

The meeting adjourned at 10:51 p.m.

Respectfully submitted,

Lisa A. Jones
Executive Secretary

FROM THE DESK OF

Leanne Hamilton

May 9, 2023

Judy Milner
City of Franklin
316 Central Street
Franklin NH 03235

Dear Ms. Milner,

I am a resident in Ward One and have lived in Franklin for 38 years. I am involved in the community and have no plans of moving away.

I am in support of the \$20 million bond. At the meeting, the city planner showed graphs of all the other tax cap communities in NH which all have debt. I was at a meeting where it was very clearly explained how the previous councilors have not acted to fund the capital expenditures for years. I have not heard any positive recommendation on other alternatives to remedy this situation. I was also at the meeting that explained that the trestle bridge needed to be repaired. The consensus appeared to be those in attendance wanted it to be preserved and they heard what the options were. Pictures were provided showing the severe deterioration.

I believe the white-water park is the reason businesses want to invest in our community. Quoted from Joahanna Knapschafer 01/26/23 "The park will eventually comprise 13 acres with 3 whitewater features, including a course for Olympic slalom training, with an additional 21 acres of conservation land that will be preserved nearby." As Marty Parichand mentioned at the meeting, one kayaker will come to kayak with 6 more to watch.

No one likes to pay taxes but if we don't move on to the issues that this bond addresses now, when? I was in a Tilton store recently and mentioned I was from Franklin. They were happy about the good things happening in Franklin. The council needs to approve these expenditures separately, but I look forward to seeing this pass and continue this positive momentum that is taking place

Sincerely yours,

Leanne Hamilton

Attachment: Johanna Knapschaefer: Engineering News Record 01/26/23

Fwd: 20 Million Dollar Bond

1 message

Marie Danforth <mmarriedanforth@gmail.com>

Mon, Jun 5, 2023 at 4:26 PM

To: Myla Everett <myla.everett@gmail.com>

----- Forwarded message -----

From: <mmarriedanforth@gmail.com>

Date: Sun, Apr 23, 2023 at 7:41 PM

Subject: 20 Million Dollar Bond

To: <TStarkweather@franklinnh.org>

Dear Councilman Starkweather,

As a citizen of Franklin, I am not in favor of the 20 million dollar bond proposal currently being considered by the City of Franklin. I'm concerned with the far reaching consequences to all residents of Franklin.

- This proposal will break the tax cap and PERMANENTLY raise the tax rate.
- The tax burden will affect ALL residents, not just property owners.
- The interest alone on this bond will cost tax payers \$7.3 million dollars.
- The public has not been given an itemized list of proposed repairs to roads or the Opera House.
- We were told that taxpayers did not need to be concerned about tax money being used for the water park (which is no longer the only water park in New England).
- It is not known how much of the bond is being used for emergent repairs.
- Does not guarantee the proposed road repairs will not need to be repaired again before the bond is paid in full.
- Does not guarantee increased revenue (we have not seen the revenue promised from the water park)
- will take 20 years for Franklin's residents to repay.

Franklin is a small community. According to the 2021 Census reported by the New Hampshire Employment Security, the population of Franklin is only 8,828.

- 2,013 residents are above 65. This population, if homeowners, are potentially eligible for property tax rebate. This reduces the amount the city collects in property taxes from this population.
- 1,544 residents are aged 0-19. This is a population that will most likely not be contributing to property taxes.
- 5,261 residents are aged 19-65. This group of residents are left to carry the tax burden.

Not all of these 5,261 residents are homeowners.

The 2020 Census states 65.3% of the housing units in Franklin, NH were occupied by their owner.

34.6% of Franklin's population are renters. One third of Franklin's population are renters.

The renters of this community will absolutely be affected by this decision. The landlords of this community are not going to absorb the extra cost of increased property taxes. This cost will be incorporated into already outrageous rent prices.

According to information updated 4/20/23 on Zillow, the median rent in Franklin is \$1500/month. This has increased by \$450/month over last year. How can the renters of this community afford this on top of the increased costs for basic needs such as water & sewage, electricity, heating, gas, food and fees for trash removal?

Shouldn't all residents of Franklin be given a chance to vote on a decision that will increase city debt and challenge already stretched income liabilities?

I strongly encourage our city leaders to put this question on the ballot for all residents of Franklin to consider.

Thank you for entering this letter into the public record and reading this letter at the Public Meeting at City Hall on April 24th.

Sincerely,
Myla M Danforth
603-455-1662

Sent from my iPhone

Sent from my iPhone

PROPOSED REDUCED COUNCIL MANAGER EVALUATION QUESTIONS 2023-06-05

GENERAL ATTRIBUTES

Exercises good judgement
Responds well to requests, advice and constructive criticism
Exhibits professional behavior appropriate for an executive position
Displays enthusiasm, cooperation, and willingness to adapt
Demonstrates a capacity for innovation and creativity
Anticipates and analyzes problems to develop effective approaches for solving them
Demonstrates a dedication to service to the community and its citizens
Performs duties diligently and thoroughly (self starter)

RELATIONSHIP WITH COUNCIL

Assists by facilitating decision making without usurping authority or favoring a minority opinion
Implements governing body actions in accordance with the intent of council and support decisions inside and outside the organization
Shares responsibility for addressing the difficult issues facing the city
Helps the council address future needs and develop adequate plans to address long term trends
Understands, supports, and enforces local government's laws, policies, and ordinances
Maintains knowledge of current developments affecting the practice of local government management
Offers workable alternatives to the governing body for changes in law or policy when an existing policy or ordinance is no longer practical

COMMUNICATION

Disseminates complete and accurate information equally to all members and the public in a timely manner
Responds in a timely manner to requests from the governing body
Responds in a timely manner to requests from citizens
Provides regular information and reports to the governing body concerning matters of importance to the local government, using the city charter as guide
Takes the initiative to provide information, advice and recommendations to the governing body on matters that are non-routine and not administrative in nature

MANAGEMENT

Recruits and retains competent personnel for staff positions
Applies an appropriate level of supervision to improve areas of substandard performance
Encourages heads of department to make decisions within their jurisdiction with minimal city manager involvement, yet maintains general control of operations by providing the right amount of communication to the staff
Encourages teamwork, innovation, and effective problem-solving among the staff members

FINANCIAL

Prepares a balanced budget to provide services at a level directed by council
Makes the best possible use of available funds, conscious of the needs operate the local government efficiently and effectively
Appropriately monitors and manages fiscal activities of the organization

PROPOSED DEPT HEAD MANAGER EVALUATION QUESTIONS 2023-06-05

Encourages heads of department to make decisions within their jurisdiction with minimal city manager involvement, yet maintains general control of operations by providing the right amount of communication to the staff
Encourages teamwork, innovation, and effective problem-solving among the staff members
Recruits and retains competent personnel for staff positions
Applies an appropriate level of supervision to improve areas of substandard performance
Stays accurately informed and appropriately concerned about employee relations
Professionally manages the compensation and benefits plan
Promotes training and development opportunities for employees at all levels of the organization
Instills confidence and promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level
Develops and maintains a friendly and informal relationship with the staff and workforce in general, yet maintains the professional dignity of the city manager's office
Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals and objectives for them, periodically assessing their progress, and providing appropriate feedback
Assists by facilitating decision making without usurping authority
Responds well to requests, advice and constructive criticism
Willing to try new ideas proposed by governing body members and/or staff
Anticipates and analyzes problems to develop effective approaches for solving them
Makes the best possible use of available funds, conscious of the needs of the local government efficiently and effectively

PROPOSED EMPLOYEE EVALUATION QUESTIONS 2023-06-05

Encourages teamwork, innovation, and effective problem-solving among the staff members
Recruits and retains competent personnel for staff positions
Applies an appropriate level of supervision to improve areas of substandard performance
Stays accurately informed and appropriately concerned about employee relations
Professionally manages the compensation and benefits plan
Promotes training and development opportunities for employees at all levels of the organization
Instills confidence and promotes initiative in subordinates through supportive rather than restrictive controls for their programs while still monitoring operations at the department level
Develops and maintains a friendly and informal relationship with the staff and workforce in general, yet maintains the professional dignity of the city manager's office

Sustains or improves staff performance by evaluating the performance of staff members at least annually, setting goals and objectives for them, periodically assessing their progress, and providing appropriate feedback