



City Council Meeting Minutes Monday, July 10, 2023 - 6:00 p.m. Council Chambers, City Hall

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

Absent: Councilor Bob Desrochers and Councilor Paul Trudel

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 6:02 p.m.

Salute to the Flag was led by Councilor Webb. This was followed by a moment of silence in remembrance of veteran Gerard (Joe) Fecteau (368th Combat Engineers and 197th Field Artillery) and Councilor Paul Trudel's father-in-law, John Reutlinger (US Army in the Korean Theatre of Operations) who recently passed away, led by Councilor Zink.

Public Hearings:

Resolution #02-24 appropriating \$30,173.38 to the Franklin School District fiscal year 2023 budget.

The public hearing opened at 6:04 p.m.
There was no discussion on this hearing.
The public hearing on Resolution 02-24 closed at 6:04 p.m.

Resolution #03-24 establishing an Industrial Park Tax Increment Financing District Advisory Board.

The public hearing opened at 6:04 p.m.
There was no discussion on this hearing.
The public hearing on Resolution 03-24 closed at 6:04 p.m.

Legislative Update:

The NH representative was not present for an update.

Comments from the Public:

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

Public comments opened at 6:05 p.m.

Resident Scott Clarenbach, Ward III, stated that he learned recently that the availability charge for sewer and water came in for 2015 and 2017 at \$30 per quarter for each one. The problem with that is administration is charging that whether connected to the water system or not. He mentioned that he had made the motion and voted on this subject a while back and it was intended for vacant buildings that were not generating much money. As of right now, people that have their water shut off for the winter season are still getting charged a \$60 fee every quarter for availability. He asked the council to look into this since it is not what was approved and is not appropriate to be charging that fee in this instance.

A few residents spoke about their support for the City Hall/Opera House renovations and hopes that it can be accomplished.

There was also a lot of comments about the \$20M bond that has been discussed during Economic Development Task Force meetings and forums.

Councilor Blake received an email from resident Maureen Aube that she read to the public stating “I want you to know that I support the bond to make the necessary improvements to Franklin”.

Attached to the end of the minutes is a statement from resident Desiree McLaughlin, Ward II, and an email that Councilor Chandler received and read to the public, regarding the bond.

There were some questions about when the verbiage would be available and a public hearing for the bond would be set and Mayor Brown stated that August would be the earliest.

Coalition Coordinator, Stephanie Wolff, gave some updates for Franklin Partners in Prevention:

- From June 3rd to June 6th, Wolff attended the 54th Annual New England School of Addiction and Prevention Studies Summer School Training Institute. This was a four-day long virtual training conference presenting information on the latest and greatest of prevention strategies, addiction research and treatments from professionals across the country.
- From June 12th – 15th, Coalition member, Christine Dzujna and Wolff, completed the second week of CADCA’s National Coalition Academy. This week covered topics such as implementing community wide strategies, methods of evaluating community progress and the completion of Logic Models for targeted substances.
- June 17th, they had their annual 5k for Prevention. Despite the forecasted rain, they had 25 participants and raised \$535 towards their prevention cause.
- Wolff gave a shout out to the Partnership for Public Health located in Laconia. They awarded Franklin Partners in Prevention with \$2,500 to fund coalition trainings. These funds can be used for trainings for coalition members, school staff, or community members depending on the nature of the training.

- July 17th- 21st she will be joining coalitions from across the country in Grapevine Texas for the CADCA Mid-Year Conference to learn about successes and strategies from coalitions from all over.
- 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. Registration is open for vendors until July 17th.

Public comments closed at 6:35 p.m.

City Council Acknowledgement:

Councilor Dzujna stated that he had the privilege last month to sit at the award ceremony at the high school. He was amazed that \$76,000 in grants were given to the kids in one form or another. He wanted to recognize all of the organizations that offered these grants.

Mayor's Update:

- Mayor Brown started by commending Cumberland Farms for holding their price of gas. They have been the lowest in the area, even lower than BJ's.
- She had the opportunity a couple of weeks ago to attend an all-day session on local government hosted by the New Hampshire Municipal Association. It was a really great training.
- As part of the Mayor's Council, one issue that mayors across NH have been dealing with this year is the homeless situation. There has been a subcommittee put together that has been looking at some of the challenges that community is facing with the homeless. A lot of it has to do with the lack of information, in particular from 211 and the differing relationships with the Community Action Program that runs a lot of the shelters. She will be meeting with other mayors in about two weeks to talk about some statewide options to better help with this situation.

Agenda Item I.

Approval of Minutes.

Council to consider the minutes of the May 15th, 2023 City Council Special meeting, the nonpublic minutes from the May 15th, 2023 City Council Special meeting, the June 5th, 2023 City Council meeting, and the nonpublic minutes from the June 5th, 2023 City Council meeting.

Motion – Councilor Dzujna moved that the Franklin City Council approve the minutes of the May 15th, 2023 City Council Special meeting, the nonpublic minutes from the May 15th, 2023 City Council Special meeting, the June 5th, 2023 City Council meeting, and the nonpublic minutes from the June 5th, 2023 City Council meeting. Seconded by Councilor Blake.

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

All in favor. Motion PASSED.

Agenda Item II.

Council to Consider Wall of Honor Request

Rev. Roger Sargent approached the city council and requested the acceptance of a wall plaque containing the names and photos of Franklin fallen veterans of wars to be placed in the foyer of City Hall near the entrance to the City Council chambers where other veterans and a folded flag are already displayed. He did understand that this may need to be done at a later time, after renovations have been completed.

The council accepted Father Sargent's request.

Agenda Item III.

School Board Update.

Superintendent LeGallo was unable to attend so there was no school board update.

Agenda Item IV.

Council to consider Resolution #02-24 appropriating \$30,173.38 to the Franklin School District fiscal year 2023 budget.

Motion - Councilor Dzujna moved that the Franklin City Council adopts resolution 02-24 appropriating \$30,173.38 to the Franklin School District fiscal year 2024 budget. Seconded by Councilor Blake.

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

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 - 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).

By a roll call vote.

Roll Call:

Councilor Blake	<u>yes</u>	Councilor Desrochers	<u>absent</u>	Councilor Starkweather	<u>yes</u>
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

Agenda Item V.

Council to consider Resolution 03-24 establishing an Industrial Park Tax Increment Financing District Advisory Board.

Motion - Councilor Ribas moved that the Franklin City Council adopt resolution 03-24 establishing an Industrial Park Tax Increment Financing District Advisory Board. Seconded by Councilor Blake.

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

Councilor Zink asked if Jim Aberg, who is a paid member of the FBIDC, causes any conflict of interest by sitting on this board.

Milner stated that he is the Executive Director of FBIDC, however, since they are in charge of the Industrial Park, she doesn't believe that makes it a conflict of interest. It gives him an objective view of taking care of the necessary needs at that park. They felt as a team that that was ok. He is also not a paid employee of the city, but paid executive of the nonprofit FBIDC, and his pay would not be affected by any decision of this advisory board.

No other discussion ensued.

By a roll call vote.

Roll Call:

Councilor Blake	<u>yes</u>	Councilor Desrochers	<u>absent</u>	Councilor Starkweather	<u>yes</u>
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>abstained</u>

6 in favor; 1 abstention. Motion PASSED

Agenda Item VI.

Council to consider setting a public hearing for Resolution 04-24 granting the City Manager the authority to file an application for the Lead Service Line Inventory (LSLI) and Replacement Plan for Large Community Water Systems Grant program and acting as the authorized representative.

Motion - Councilor Ribas moved that the Franklin City Council set a public hearing for August 7th, 2023 at 6pm in Council Chambers for Resolution #04-24 granting the City Manager authority to file an application under the State of New Hampshire Department of Environmental Services, Lead Service Line Inventory (LSLI) and Replacement Plan for Large Community Water Systems Grant program, and designating as Authorized Representative. Seconded by Councilor Dzujna.

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

All in favor. Motion PASSED.

Mayor Brown read Resolution 04-24 into record:

RESOLUTION #04-24

A Resolution granting the City Manager the authority to file an application under the State of New Hampshire Department of Environmental Services, Lead Service Line Inventory (LSLI) and Replacement Plan for Large Community Water Systems Grant program, and designating as Authorized Representative.

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

WHEREAS, the City of Franklin, New Hampshire after thorough consideration of the nature of its drinking water system is required under the US-EPA Lead and Copper Rule Revision (LCRR) requires “water systems” to develop and submit to NHDES an inventory of the service lines within the water distribution system (public and private) by October 16th, 2024. Therefore, it is necessary and in public interest to apply for grant assistance from the State of New Hampshire, Department of Environmental Services in the amount of \$50,000 with the City providing a 0% match.

THEREFORE, BE IT RESOLVED, that at their regularly scheduled meeting of the City Council on Monday, August 7th, 2023, the City Council of Franklin, New Hampshire does hereby adopt resolution #04-24

THEREFORE, BE IT FURTHER RESOLVED,

1. That City Manager, Judie Milner, is hereby designated as the Authorized Representative of the City of Franklin, NH for the purpose of filing a grant application, furnishing such information, data and documents pertaining to the applicant for a grant as may be required; and otherwise act as the Authorized Representative of the applicant in connection with the application and If such a grant can be made, is the Authorized Representative of the Applicant responsible for furnishing information, data and documents pertaining to disbursements relating to the grant.
2. That the Franklin, New Hampshire City Council hereby votes to enter into the Lead Service Line Inventory, Sampling Plan, and Replacement Plan Grant, authorizing City Manager, Judie Milner, to execute any documents which may necessary to effectuate this grant.
3. That certified copies of this resolution be included as part of the final grant application.
4. That City Manager, Judie Milner, is authorized to sign the final agreement binding the City of Franklin to the terms and conditions of the grant: Primary signatory being Judie Milner, City Manager.
5. That this resolution is to be non-lapsing.

Agenda Item VII.

Council to consider re-adopting the 9/8/15 Code of Conduct policy for elected officials and appointed board members.

Motion – Councilor Webb moved that the Franklin City Council re-adopt the 9/8/15 code of conduct for elected officials and appointed board members policy. Seconded by Councilor Ribas.

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

The majority of the council stated that they were not comfortable supporting the approval of the code of conduct without it being codified and to have more explanation in the writing that pertains to this day and age better.

6 opposed; 1 in favor. Motion FAILED

Milner recommended that the policy is reformatted and then passed along to legal counsel to make sure that it is legal before codifying it. Without objection from the council, Milner stated that she is hearing that they would like to put this on an ordinance and bring it to the next city council meeting after approval to set a public hearing.

This was accepted with no objection.

Agenda Item VIII.

Council to consider setting a public hearing for Ordinance 03-24 regarding the election recount procedure.

Motion – Councilor Zink moved that the Franklin City Council set a public hearing for 6pm on Monday, August 7, 2023, regarding Ordinance 03-24, for the Election Recount Procedure. Seconded by Councilor Ribas.

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

All in favor. Motion PASSED

Mayor Brown read Ordinance 03-24 into record:

ORDINANCE #03-24

AN ADDITION TO THE FRANKLIN MUNICIPAL CODE:

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

Be it ordained by the City Council of the City of Franklin that the Franklin Municipal Code Part I: Administrative Legislation, Add Chapter 18, Elections; Section I: Contested Races, tie votes and recount process, be added as follows:

Chapter 18 Elections

Section I Contested Races, tie votes and recount process

Recount Procedure- Any candidate whose name appeared on a municipal election ballot may file a request for recount in writing with the Franklin City Clerk no later than 5:00 p.m. on the Friday following the municipal election. The applicant shall pay a fee to the Franklin City Clerk, for the use of the City in the same manner as prescribed by RSA 669:31, II.

The following rules and procedures shall be observed during the course of a municipal election recount:

1. The City Clerk shall serve notice of the recount on all candidates for the office in question.
2. The recount team will be comprised of the City Clerk, Moderator or Assistant Moderator, Ward Clerk, and two City Councilors of the City of Franklin. Anyone on the recount team shall be disqualified from participating if their seat is the subject of the recount. Also, if the City Council deems a conflict of interest for any of the five stated members of the recount team, the Moderator shall appoint someone in their place per NH RSA 669:32.
3. No cell phones, tablets, or any electronic devices with recording capabilities may be used in the recount room during the recount, other than approved previously by the City Clerk.
4. All members of the public shall be seated in a designated area that will allow for visual and audible observation of the recount. No person shall be seated closer than six feet from the recount team unless they are the candidate and/or their representative.

5. The Moderator of the contested ward or City Clerk shall preside over the recount.
6. If there is a question as to whether a ballot is valid, the Moderator shall determine its validity.
7. A candidate and/or their representative may be present at the recount to inspect the ballots as they are being counted. Each candidate shall be limited to one representative.
8. The recount method may be the sort/stack method or the tally method, but no other.
9. The City Clerk will unseal the container holding the ballots cast by voters on the date cast, announcing such publicly.
10. Candidates and/or their representatives are prohibited from touching the ballots and from marking a ballot in any manner during the recount.
11. The recounting officials shall not let the ballots out of their control at any time, and no person other than the recounting officials may touch the ballot while it is being inspected or at any other time.
12. Each ballot will be read declaring the legal vote apparent from the voter's marks, the ballots will then be stacked according to how the ballot was cast.
13. If there is a ballot that is protested by a candidate or their representative, the Moderator shall rule on its validity and shall attach a note to the ballot stating the name of the candidate making the protest and setting further the ruling made upon the validity of the ballot.
14. The ballots shall be recounted one time only and all protests must be made at the time the ballots are recounted. The candidate or their representative has the right to inspect each ballot as it is recounted, and any protest relating to the ballot being counted must be made at that time and no other time.
15. The candidate who requested the recount may cancel the recount at any time during the procedure, at which time the City Clerk will publicly announce the candidate's request to cancel the recount, and the recount will cease at once. The candidate may choose to cancel the recount at any time prior to the announced date and time.
16. Tie votes shall be resolved by lot. The City Clerk shall prepare a set of slips of paper of equal size, each numbered 1 to 10. Each shall be folded and placed in a container. The candidates shall then draw a slip from the container. The candidate drawing the highest number will be declared the winner.
17. After the ballots are recounted, the City Clerk shall announce the results of the recount to the City Council. The mayor shall then confirm the results and declare the person with the highest number of votes as the winner of the seat in question.
18. After the results have been announced, the ballots shall immediately be turned over to the City Clerk who shall immediately place the ballots in the container. The City Clerk shall seal the box with tape and mark the box, signed by the recount officials, in the same manner as required by RSA 659:95 and shall note the date and the reason why the original container was opened. The City Clerk shall then take custody of the ballots.
19. The City Clerk shall then place the sealed ballots in a secure location where the ballots will be kept for 60 days.

Effective Upon Passage

Agenda Item IX.

Council to consider adoption of the following tax deeds:

1. Map/ Lot: 098-012-000 (Building & Land)	2. Map/ Lot: 134-276-000 (Building & Land)
3. Map/ Lot: 117-047-000 (Building & Land)	4. Map/ Lot: 112-015-000 (Building & Land)
5. Map/ Lot: 102-003-000 (Building & Land)	6. Map/ Lot: 135-115-000 (Building & Land)
7. Map/ Lot: 096-412-007 (Building Only)	8. Map/ Lot: 078-006-009 (Building Only)
9. Map/ Lot: 098-065-000 (Building & Land)	10. Map/ Lot: 098-061-018 (Building Only)
11. Map/ Lot: 116-026-000 (Building & Land)	12. Map/ Lot: 134-221-000 (Building & Land)

Motion – Councilor Ribas moved that the Franklin City Council accept the tax deeds on the following parcels: Map/ Lot: 098-12-000 (Building & Land), Map/ Lot: 134-276-000 (Building & Land) Map/ Lot: 117-047-000 (Building & Land), Map/ Lot: 125-015-000 (Building & Land), Map/ Lot: 102-003-000 (Building & Land), Map/ Lot: 135-115-000 (Building & Land), Map/ Lot: 096-412-007 (Building Only), Map/ Lot: 078-006-009 (Building Only), Map/ Lot: 098-065-000 (Building & Land), Map/ Lot: 098-061-018 (Building Only), Map/ Lot: 116-026-000 (Building & Land), and Map/ Lot: 134-221-000 (Building & Land). Seconded by Councilor Dzujna.

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

Milner stated that there are two properties that have recently been paid and removed from this list, which are lots 117-047-00 and 096-412-00.

Motion – Councilor Ribas moved to amend the motion removing lots 117-047-00 and 096-412-00 from the tax deed list. Seconded by Councilor Dzujna.

All in favor. Motion PASSED

City Clerk Stanyan answered questions from the council and did explain that these residents had received letters prior to this about their taxes being overdue.

Mayor Brown took a vote for the original motion.

All in favor. Motion PASSED

Agenda Item X.

Council to review the City Manager's evaluation format.

Councilor Ribas explained that it was recommended to revamp the evaluation process for the city manager and after meeting several times, the ad hoc committee lowered the number of questions to 25 or so for the council. They also decided to seek answers from department heads and employees as well since they work more closely with the city manager, so there are a few additional questions for staff to get their input. He clarified that the council would still be doing the final review of the city manager and this information from professional staff would help inform the council during the evaluation process. The survey will only be able to be sent to the appropriate staff and will be anonymous. He left this to the council to discuss.

The council thanked Councilor Ribas for all of his work on this.

Councilor Blake, who also sat on this committee, let everyone know that the reason they started this committee was because the council decided to approve doing a 360 review for the city manager going forward and this is how it is done in the corporate world as far as asking other employees about the individual's performance.

The council discussed doing this as a trial run first to work out any bugs.

Motion – Councilor Ribas moved that the Franklin City Council approve the remodeled evaluation process and instructs the committee to input these questions in and coordinate with the City Manager's office to send out this year's trial run version of the evaluation and to report back by next month if they haven't done so. Seconded by Councilor Blake.

All in favor. Motion PASSED

Agenda Item XI.

Council to consider one -year extension of current cable franchise agreement to 12/31/24.

Milner stated that the councilors received a nonpublic franchise agreement and the attorney recommended that the city sign another one-year extension of the agreement since the current cable contract with Breezeline is the most lucrative in the state right now. This is due to the fact the cable services will be going away and replaced by streaming services. This would also be recommended so that the city can coordinate getting the best agreement possible in the future.

If there are no questions about the agreement there is no need to enter into a nonpublic session and the public piece and suggested motion are in the council packets.

Motion – Councilor Ribas moved that the Franklin City Council extend the city's cable franchise agreement through 12/31/2024. Seconded by Councilor Dzujna.

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

Milner clarified that the current agreement expires on 12/31/2023 and the new agreement would go to 12/31/2024. This is also for cable services only and not internet services.

All in favor. Motion PASSED

Agenda Item XII.

Council to consider Building Permit Proposal for Property on a Private Road.

Motion – Councilor Ribas moved that the Franklin City Council approve the issuance of a Building Permit for 4 Doucette Dr, Map-Lot 103-001-00 and authorize the City Manager to execute the Agreement and Notice of Release from Municipal Responsibility and Liability between the City of Franklin and the owners. Said fully executed agreement is to be recorded at the Merrimack County Registry of Deed; the recording and recording fees are the responsibility of the applicant. Recording must be complete before permits can be issued. Seconded by Councilor Dzujna.

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

A small discussion ensued and Planning & Zoning Director Creighton was able to answer any questions.

All in favor. Motion PASSED

Agenda Item XIII.

Council to consider Outdoor Dining Application/Procedure/Rules.

Motion – Councilor Dzujna moved that the Franklin City Council accept the Outdoor Dining License Rules and Application and authorize the City Manager to sign off on acceptable applications which propose to use municipal property. Seconded by Councilor Ribas.

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

Milner stated that Attorney Fitzgerald agreed that the city was allowed to do a pilot program for this year with a fee for the outdoor dining application as a program. If the council were to decide to move this into code for next year it would then be done as a city ordinance.

A discussion ensued and P&Z Director Creighton answered questions from the council. He clarified that this is for use of public property, but the guidelines would be great to use for private property applications that come through his department.

Milner stated that this would need to go to the Legislative Committee if the council wants to look at this as an ordinance for next year and she will make sure to put that on their agenda for November.

All in favor. Motion PASSED

Agenda Item XIV.

Other Business:

1. Mayor & Council Appointments

Motion – Councilor Zink moved that the Franklin City Council reappoint Seth Creighton to the Lakes Region Planning Commission as the Primary Representative, term of service to August 2025. Seconded by Councilor Dzujna.

All in favor. Motion PASSED

Motion – Councilor Zink moved that the Franklin City Council reappoint Justin Hanscom to the Lakes Region Planning Commission as the Deputy Representative, term of service to August 2025. Seconded by Councilor Chandler.

All in favor. Motion PASSED

Motion – Councilor Zink moved that the Franklin City Council appoint Gerard Desrochers to the Supervisors of the Checklist for Ward III, (Seat SCW31) term of service to January 2028. Seconded by Councilor Webb.

All in favor. Motion PASSED

2. Committee Reports

Councilor Dzujna stated that the MSD Committee meeting on June 21st went well. They had a good discussion about recycling and how to get the word out better. There are some equipment challenges at the transfer station and hiring staff. They asked MSD Director Hanscom to get an idea from other communities on how they are dealing with solid waste and recycling procedures going forward. The next MSD Committee meeting is TBD.

Councilor Chandler stated they had a Police Committee meeting on June 22nd. They are waiting on some money from Senator Shaheen and they are hoping to get \$250,000 to go towards body cams.

Councilor Starkweather stated that the July 17th Fire Committee has been cancelled and they didn't have much new to talk about except that they are still short 6 firefighters. Since that will not happen overnight, they decided to cancel the meeting for now.

3. City Manager's Update

- Milner wanted to start off with some clarification on the \$20M bond that has not come before the council yet. It is a vote to authorize capital expenditures, not specific projects.

In addition, city council members were invited to the public forum that was held if they were in a different role, such as the role of the Downtown Business Group Coordinator or the role on FBIDC.

Also, the TIF note was not a bond so that may have been taken out of context. When she was talking about the city not bonding since the 1990's, they have not gone through the formal bond process, which includes going through Moody's for a rating. What has been done since the 90's is long-term debt notes, which is different process than a bond.

91A Requests – These needed to be clarified because they weren't clear enough to give the person the information that they were looking for. They are currently being worked on.

These were items that came up during this meeting that Milner wanted to clarify.

- Contingent Grant Line Activity – They received \$50 for the fire department, \$161.88 from Hannaford for the fire department, \$243.76 from Hannaford, \$3,300 from the Partnership in Public Health, and \$605.23 from the 5K for Franklin Partners in Prevention, \$100 from the Hill Village Bible Church for National Night Out, \$720 from the McCaffrey family for picnic tables at Legace Beach, \$470 for the Bookie Laroche Memorial donation, and \$660.43 for a sex offender compliance grant.
- Trust fund for school funding – \$271.69
- Congratulations: Firefighters Mike Provencher and David Sabo for their Swift Water Rescue Technical Level 1 certification and also Mike Provencher for Advanced Forest Fire training.
- Committee Meetings – July: There are no committee meetings for this month.
- Welcome: Lawrence Light in the Municipal Services department and Trevor Merchant in PD.
- Shout Out – To the department heads, especially Finance Director Gaudette, for the very nice vacation she was able to take for 2 weeks. The city was in great hands during that time, so thank you.
- Random Acts of Community – Judith Ackerson, who has been the town crier for years, for getting all of the information out there with community dates and a shout out to Amy and Andrew Duguay, who are taking over that role. Also, for the flowers, she thanked Glenn Morrill and his posse, along with Councilor Dzujna, for all of the beautiful flowers in the community.
- Media contacts – Union Leader, Laconia Daily Sun and the Concord Monitor
- Merrimack County Event - They are celebrating their 200th bicentennial on September 30th from 11am – 3pm. This is a free family fun day community event. This will be at the Merrimack County campus in Boscawen.
- State Budget Update – The state has passed a budget and it is providing \$145M more to communities over the current budget. The council will be seeing a resolution come

through for the municipality as some one-time highway and bridge funding again, along with some adequacy education funding for the school district.

- Stanley Mill update – The city has received all three grants that they applied for totaling \$2.5M. One has already been appropriated by the city council, the second is waiting on approval from the Governor and Council, and the third is going through the federal process. This should be coming before the council for appropriation by the November meeting.
- City Hall Update – Tomorrow, 7/11, she will be meeting to award the RFP for the architectural services for City Hall and will be discussing different locations for the services of the city, along with the location of the next city council meeting.
- Workshop meetings for July and August – July 24th at 6:30pm (due to FACT Camp) in Council Chambers there will be a joint meeting with the Franklin School Board from the Economic Development Committee about the bond.
August 21st there will be a workshop meeting on the Trestle Bridge per their DOT grant at 6pm, location TBD.
- The Economic Development Team will be having some more listening sessions on the alleged \$20M bond on Thursday 7/13 & 7/27 at the Waterhorse Pub from 4pm – 5:30pm.
- Milner let the council know that notices for dog forfeitures are going out and they will have 15 days to respond to those notices.

4. Nonpublic Session Needed

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

Motion – Councilor Ribas moved that the Franklin City Council enter into nonpublic according to RSA 91-A:3 II(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 meeting and (2) requests that the meeting be open, in which case the request shall be granted. Seconded by Councilor Dzujna.

By a roll call vote.

Roll Call:

Councilor Blake	<u>yes</u>	Councilor Desrochers	<u>absent</u>	Councilor Starkweather	<u>yes</u>
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

Entered into nonpublic at 8:23 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 9:29 p.m.

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

By a roll call vote.

Roll Call:

Councilor Blake	<u>yes</u>	Councilor Desrochers	<u>absent</u>	Councilor Starkweather	<u>yes</u>
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

ADJOURNMENT:

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

The meeting adjourned at 9:30 p.m.

Respectfully submitted,

Lisa A. Jones
Executive Secretary

Desiree McLaughlin

Address to City Council - 7/10/23

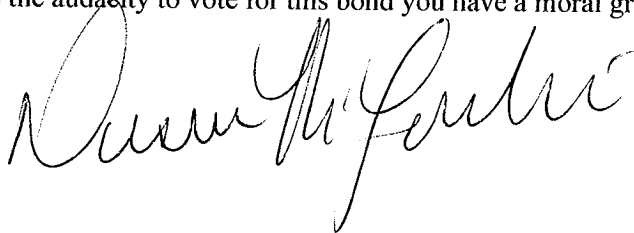
Moral Turpitude equals bad policy. Allow me to elaborate. To fully explain, one must understand the definition of moral turpitude as well as the purpose of the city council. The definition of moral turpitude is "a crime that involves dishonesty, fraud, deceit or misrepresentation. The city council is the governing body of the city. The members are elected by the citizens and the members together to make general policies, supervise city government, and appropriate funds for various means. So let's look at the first part "make general policies", what are some examples of policy passed by the city council that may have been corrupted by moral turpitude? The most recent example presents itself in the Repeal and Replace of Chapter 257, Ordinance 03-23 "Solid Waste". Why is that a perfect example? It is a perfect example because this particular ordinance was passed against the will of the people. It was passed against the will of members of the electorate who voted for a specific city councilor as a representative and it was passed against renters who reside within the specific wards of the city for which city councilors have a responsibility to. This responsibility is to protect their interests by supervising evaluating the City Manager, Judie Milner. Residents and taxpayers performed their due diligence and contacted their city councilors and in turn were silenced at committee meetings first by the Mayor and later by the director of the Municipal Services Committee, a city councilor elect, George Dzjuna. Residents signed not one but two petitions that were in turn, discredited by the City Manager whose action was supported by Mayor Jo Brown. Residents showed up at meeting after meeting to speak against this action and they were dismissed. City Councilor Bob Desrochers fought the good fight and even quoted the US Constitution. It all fell on the deaf ears of those who had their eyes on their own agendas. The residents received the equivalent of a pat on the head and the phrase "I'm doing this for your own good." THAT was an ethical crime and it was committed by everyone here who voted YES. Shame on you for your lack of representation of your electorate

This brings me to our current situation regarding this 20 million dollar bond. This bond is a financial vehicle that will further manipulate the budget and put a potentially insurmountable burden on the residents of our small city. We are, in fact, the smallest city in NH. We consist of a diverse population of approximately 8,766 people with the following demographics obtained from the census bureau & DHHS; approximately 22% of our residents are over 65 years of age & 18% are under 18 years of age. That makes the percentage of our financially vulnerable population approximately 40%. Regarding the balance of the population, they could be identified as our valuable workforce population of which there are only 21.4% holding a bachelor's degree or higher. The median salary for the workforce population is between 41,000 if you are a female and 52,000 if you are a male. Let that sink in if you are thinking about our single moms in the city. The median rents are listed at 985.00 and they are rising, thanks in part to your revised municipal ordinance. So, think about it, who is going to be left to work in your city.

But let us leave that damning data to the side for a moment to note that this bond has been vociferously opposed by many residents before it has even been recommended to the council by the "Economic Development Team". It hasn't been recommended so I can't even petition against it. Because it technically doesn't exist. And why would that happen? Why would a spreadsheet be disclosed regarding the bond and its allocations and then it is held up long enough to miss being put on the ballot? And don't tell me it's because its politics. That its acceptable to manipulate dates. Don't stand up here during your pompous mayoral address, quote Socrates and tell me to be kind while you endorse the passing of a bond that will inflict hardship on your most vulnerable populations. And don't plead for a bond to save the Opera House when the very children you say have received benefit from it are negatively impacted whether by displacing them from their residences or potentially making them the newest victims of food insecurity. Don't put the "Code of Conduct" on this agenda unless you plan on enforcing it. You have 3 city councilors that have extremely close and biased ties to two organizations that SHOULD RECUSE THEMSELVES from the vote per your own re-introduced code of conduct. And told TELL me you

checked from Fitzgerald because until you have been sued and win, that liability is still out there. And finally, since we are talking about your code of conduct, can I call for the resignation of the Economic Development Team contracted employee of Franklin. Niel Cannon who took the liberty of calling a property owning, tax paying resident of Franklin, "an idiot". The full statement documented into perpetuity on social media by Mr. Cannon was "Take the time to be civil and research the data, you idiot!" How ironic he was begging for civility in the same sentence he was calling her an idiot.

Mr. Cannon is an integral part of the apparently un-vetted and un-supervised financial pioneers for the City of Franklin. Is the council aware that there are no minutes to any meetings this committee holds? I discovered that fact via a rare response to a 91A request. Are you aware that you as a city council will take the heat for the decisions, failings and even decorum of these team members whether you are responsible for them or not?. Perhaps the code of conduct to be discussed this evening can extend to those recommending the tax burden of millions of dollars. Are you aware there is a video recording circulating of Marty Parichand threatening a disabled teen who was enrolled in the high school at the time of the incident? Do you want me to play it? Perhaps it can include City Manager Judie Milner who has been caught several times on zoom giving incorrect information (lying) to the electorate. occasion 1 – Judie stated at a meeting in response to questioning by a resident regarding bond specifics "We have not issued a bond since the 90's", when in fact a bond had been issued against TIF district funds and guaranteed by Eric Chinburg within the last few years. Occasion 2, Judie made the statement regarding city council members being present at the "Invite Only Economic Development Meeting stating "Thankfully there will not be any public body members in the audience that day, so we are inviting members of the community who do not sit on the city council." When I arrived at that meeting, not only was Councilor Dzijuna present but also Councilor Valerie Blake. These residents have again done their due diligence and contacted their councilors; they have come to countless **poorly identified** meetings & forums to speak against this bond. I, myself, have submitted four 91-A's of which only a quarter of the data has been supplied. But do understand this, while you are dismissing each resident objection you are violating the moral and ethical station you occupy. You are guilty of moral turpitude. Each time you fail to represent those who have elected you, you have disrespected the vote that put you in that council seat. At this point, if you have the audacity to vote for this bond you have a moral grade value of zero.

A handwritten signature in black ink, appearing to read "Daniel M. Fendley". The signature is fluid and cursive, with the first name "Daniel" being more prominent and the last name "Fendley" written in a similar style.

Jay Chandler

From: Mayor
Sent: Wednesday, July 5, 2023 12:57 PM
To: George Dzujna; Jay Chandler; Ted Starkweather; websterlake@metrocast.net; Vince Ribas; Olivia Zink; Robert Desrochers; Paul Trudel; Valerie Blake; Leigh Webb
Cc: sam@jacobson.net; City Manager
Subject: Fwd: Franklin bond - please support

Sam, thank you for your letter of support. We will likely have a public hearing on the bond late summer/early fall.

I have forwarded your letter to the entire council

Jo Brown, Mayor
City of Franklin

From: Sam Jacobson <sam@jacobson.net>
Sent: Tuesday, July 4, 2023 11:33 PM
To: Olivia Zink <OZink@franklinnh.org>; Vince Ribas <VRibas@franklinnh.org>; Robert Desrochers <RDesrochers@franklinnh.org>
Cc: Mayor <Mayor@franklinnh.org>
Subject: Franklin bond - please support

Hello Olivia, Vincent, and Robert,

My name is Sam Jacobson and I am a geologist and a new resident of Franklin. I write to you today to ask for your support for the whitewater park & bond financing.

I moved here in January 2023, drawn by the city's growing reputation as an outdoor recreation haven, specifically the construction establishment of New England's first whitewater park. The wave and amphitheatre has been the location of many of my budding relationships in the city, both on the water, and watching (sometimes crazy) kayakers. The winter was cold, but the my neighbors and the city more broadly welcomed me with open arms, a fact for which I am grateful and reflects the strength of the Franklin community.

As a new homeowner, I've seen the value of the partially complete whitewater park - it sets Franklin apart from other Lakes communities and has drawn tourists into Franklin throughout the spring and summer. Frankly, I likely would have looked to move elsewhere if not for the whitewater park and commitment from the city and community to leveraging its natural resources. Having attended the spring economic development board meeting, I understand that there is a shortfall in the financing for the completion of the park and that there is a \$20M bond being debated amongst the council members to finance the completion of the park, and road improvements amongst other civic priorities. I write to you today to ask for your support for this growing portion of the community and for collecting funds from the community to invest in itself. From my perspective, this investment is a critical component to ensuring Franklin's continued attractiveness to other prospective residents and growth.

I am happy to discuss over the phone or in person if that is easier for you. My phone number is 215 840 4386, or you can stop by 16 Forest Street - I am home most days.

I've cc'd the mayor in the hopes that she will share this letter with other councillors. Looking forward to hearing from you.