



City Council Meeting August 1, 2016

Call to Order

Mayor Merrifield called the meeting to order in the Council Chambers, Franklin City Hall at 6:01 p.m.

In Attendance

Councilor Clarenbach, Councilor Starkweather, Councilor Barton, Councilor Giunta, Councilor Desrochers, Councilor Wells, Councilor Zink, Councilor Dzujna, City Manager Dragon and Mayor Merrifield.

Absent

Councilor Boyd.

Salute to the Flag was led by Councilor Dzujna.

Public Hearings

Ordinance #01-17: An Ordinance that increases the water commodity charge from \$5.81 per 100 cubic feet to \$6.06 cubic feet.

There was no public comment.

Resolution #02-17: A Resolution regarding the approval of the FY17 Budget for the City of Franklin.

Scott Clarenbach as a member of the public stated that he has a conflict of interest as he is a Director of Franklin Savings Bank and will be unable to participate in the discussion. As a former Fire Chief in the City of Franklin he is duly aware of the need to replace a 1989 fire truck. He is also concerned about the recent budget negotiations with the school and if they enter into a \$650K note it will really tie the City's hands moving forward. He is aware that it takes a year to make a fire truck but asks each Councilor to give strong concerns to the timing of this which began way before the issues with the school. The Council authorizing a \$650K note might not play well with the joint finance committee meetings going forward granted it is part of doing business as a City and it is for a truck that has broken down many times as you have seen in the paperwork and at a couple of different fires. He truly believes it could have an impact with the school as we move forward.

Comments from the Public

Persons wishing to address the Council may speak for a maximum of three minutes. No more than thirty minutes will be devoted to public commentary.

Christine Dzujna spoke as a representative for Choose Franklin and the Thrift Clothes Closet. There is a Summer Sidewalk stroll this Saturday from 10:00 am – 4:00 pm and it will be from bridge to bridge

and slightly above. It is to highlight all the new stores and what is going on in downtown Franklin to include Franklin Regional Gift Shop, Blossom Shop and Once and Again and all the downtown shops. There may also be things going on in front of the empty shops as well.

Annette Andreozzi stated that she saw on the agenda that the Council was going to vote on supporting the Resolutions from the NHMA. She stated that she didn't go through all of them as it was quite lengthy but one that was brought to her attention was supporting putting into nonpublic area building plans that are submitted to municipalities. Being the Land Use Administrator in Gilmanton it is a disservice to citizens to put them in nonpublic for many reasons like people lose them, new owner plans are lost, septic designs, separate place to keep them away from public items.

Leigh Webb spoke to City Manager Dragon today and the way this is worded means you agree with everything on this document and if you don't pass the motion your representative could vote how they wanted. Mayor Merrifield stated that they would look at each one and offer the Council the opportunity to object and draft it appropriately.

Legislative Comments – None

City Council Acknowledgements – Councilor Starkweather wanted to acknowledge the two new sign boards and thank Chief LaChapelle for being able to get them as they didn't cost the City anything.

Mayor's Update – None

Agenda Item I.

City Council to consider the minutes of the June 24 & June 30, 2016 City Council Budget Workshop Meetings, June 28 & July 7, 2016 Joint City Council and School Board Budget Workshop Meetings.

Motion: Councilor Desrochers moved that the Franklin City Council consider the minutes of the June 24 & June 30, 2016 City Council Budget Workshop Meetings, June 28 & July 7, 2016 Joint City Council and School Board Budget Workshop Meetings. Motion seconded by Councilor Starkweather.

Councilor Dzujna thanked Lauraine for doing a great job on the minutes.

All in favor; motion passes.

Agenda Item II.

School Board Report – School Board Member Burns stated communications committee was cancelled and hasn't been rescheduled as of yet. The strategic plan is ongoing. NH Center for Public Policy is working with us and hopefully next month we will put some of the questions to the public and have boxes around for them to put in their information. There will be a strategic plan email that

will be sent to the School Board. On Oct. 6 they will be at Choose Franklin giving their mission and vision and have public input.

Councilor Dzujna asked how they are getting the questions out to the public. School Board Member Burns stated Three Rivers Newsletter is one way and Social Media would be another.

Agenda Item III.

City Council to consider the approval of Ordinance #01-17 that increases the water commodity charge from \$5.81 per 100 cubic feet to \$6.06 per 100 cubic feet.

Motion: Councilor Clarenbach moved that the Franklin City Council adopt Ordinance #01-17 increasing the "Water Commodity Charge" to \$6.06 per 100 cubic feet effective July 1, 2016. Motion seconded by Councilor Starkweather.

Councilor Desrochers mentioned that a year ago we avoided this increase by raiding the fund that we have to get a lower borrowing rate and is this increase going to go back into that fund. Director Sullivan stated that was in fiscal 2014 or fiscal 2015 we proposed a \$1.40 increase to support capital projects and that was when the City Council decided to do that over a three (3) year period. This is the third (3) of the three (3) year period. If we were to get back to the level recommended by GASB, which is 25% of our annual operating budget, we would need to do a .48 cent increase. It was decided by staff that would be too much on the rate payer and we decided to go with what the Council recommended for the last three (3) years. We do have sufficient funds budgeted to do some necessary capital projects that we will need for appropriation in the future, one being the Acme Well and the second being the replacement of the pressure reducing chamber on Pleasant St. These are two major pieces of infrastructure that are very old and are critical to the operation of the system. Director Sullivan gave the Mayor a survey to hand out which gives you water rates around the State. It shows you that Franklin is not far off with the communities listed on the first page. Communities that have higher rates have invested in their infrastructure and Franklin has done so with the help of some significant grants from the USDA and DWSRF Funding.

Councilor Barton asked if there are 1400 houses that are empty or don't use water. Director Sullivan stated there are certain parts of the City that have water and certain parts of the City that have water but are not sewered. There are 1874 houses that have their own septic systems and 2314 water customers. There are vacancies that have impacted and water consumption is down that have impacted the water rate. We have so much infrastructure in the ground that is disproportionate to the customer base we have. Councilor Barton asked if we charge tanker trucks that pump out septic systems. Director Sullivan stated yes they go to the River Street pumping station and the revenue is generated through the State of NH. That revenue is dispersed 16% back to us in credit so it reduces our fee to run the treatment plant.

Roll Call:

Councilor Clarenbach	<u> X </u>	Councilor Dzujna	<u> X </u>	Councilor Barton	<u> X </u>
Councilor Starkweather	<u> X </u>	Councilor Wells	<u> X </u>	Councilor Boyd	<u> abs </u>
Councilor Desrochers	<u> X </u>	Councilor Giunta	<u> X </u>	Councilor Zink	<u> X </u>

All in favor; motion passes.

Agenda Item IV.

City Council to consider the approval of Resolution #02-17 authorizing the City to enter into a bond/note/lease with Franklin Savings Bank to fund a new fire truck.

Motion: Councilor Desrochers moved that the Franklin City Council approve Resolution #02-17 authorizing the City Manager to borrow \$650,000 for the purpose of purchasing (1) fire truck through Franklin Savings Bank utilizing a 10 year note at the rate of 2.49% and to further approve the procurement of the fire truck through the HGAC Government Purchasing program. Motion seconded by Councilor Starkweather.

Mayor Merrifield clarified that to borrow funds of this magnitude the Council needs a 2/3 vote which means it will need 5 votes. City Manager Dragon reminded everyone that in the budget the trash truck lease ended which was \$152,702 and the practice of the Council over the last several years is when a capital item concludes we reinvest into another capital item. Originally in the City Manager's budget the money was moved over into a capital reserve account to hold for the fire engine and she was holding \$82,875 which is less than the \$152,702 from the ending of the lease from the trash trucks. We have held several meetings and work sessions as a group and the dept. heads decided that this was the capital item that needed to be focused on this year.

Councilor Dzujna understands Councilor Clarenbach's concerns based on the challenging time the Council went through with the School Board. Having sat in on all the meetings and sub meetings for the fire committee this is something that is looked at as a safety issue. All that this truck has gone through and has just stopped working at times can be a real problem for the City. I know it is a difficult time but they need to understand this is a safety issue for the residents and the school also.

Councilor Desrochers is also concerned how to find the money for the school but this is the safety of the community and people can't be replaced. The safety of the community and the firefighters are first and foremost. If we are using \$82K for the fire truck where is the \$70K balance from the trash truck? City Manager Dragon stated originally they were holding the entire amount in the capital reserve but to help the school close the budget gap the Council wanted to transfer almost the entire amount as a one-time transfer of funds. In the future these funds will be held in the capital account because the concern is there are many capital items that need replacing as there are many pieces of equipment that are well beyond their lives.

Councilor Barton asked how much will the maintenance cost through the years. Chief LaChapelle stated that is a fluid question certainly as a vehicle ages it costs more money. I know that is a very generic answer but if you want specific numbers I can get those for you.

Councilor Starkweather stated that we are talking about a piece of equipment that is a 1989 and we have another piece of equipment that rolls out behind that is a 1985. The newest piece of equipment was born with defects and going downhill ever since. The Deputy took it to Manchester for service and it died twice going down the interstate. Mayor Merrifield talked about the 2/3 requirement he mentioned earlier and stated he misspoke and it requires 2/3 of those Councilors present.

Roll Call:

Councilor Clarenbach	<u>abstained</u>	Councilor Dzujna	<u>X</u>	Councilor Barton	<u>X</u>
Councilor Starkweather	<u>X</u>	Councilor Wells	<u>X</u>	Councilor Boyd	<u>absent</u>
Councilor Desrochers	<u>X</u>	Councilor Giunta	<u>X</u>	Councilor Zink	<u>X</u>

All in favor; Councilor Clarenbach abstained; motion passes.

Agenda Item V.

City Council to consider Memorandum of Understanding between the City of Franklin and the Adjutant General's Department of the State of New Hampshire for the placement of communication equipment on the City's Pleasant Street Tower.

Motion: Councilor Clarenbach moved that the Franklin City Council approve the proposed Memorandum of Understanding (MOU) between the State of New Hampshire Adjutant General's Department and the City of Franklin in relation to the use of a tower and communications shelter located on Pleasant Street, Franklin, NH and authorize the City Manager to execute the agreement. Motion seconded by Councilor Desrochers.

All in favor, motion passes.

Agenda Item VI.

Rev. Karen Heavey to address the City Council regarding the Food Pantry and the needs of the community.

Rev. Karen Heavey has only been in Franklin since February. Being the Director of the Food Pantry she is very involved with all that goes on including talking and listening to the people. She is an Ordained Minister with the American Baptist Churches of the USA as well as the NH and Vermont region. She is a Senior Pastor of the Grace and Hope Community Church in Andover. Her training, calling and

expertise is to administer to the poor and disenfranchised. She has done so for some time now in the forests of Appalachia, streets of Guatemala, inner City of Boston and also in Vermont. Rev. Heavey stated they have served 1,881,408 meals from 2005-2015 and they are still feeding and growing. On a per month average they feed 358 families and 895 individuals. She then referenced the number of towns that they deal with. She mentioned that they are taking care of the homeless and are trying to document that. She spoke that she considers all of us as brothers and sisters to her.

She wanted to share with the Council the concerns of the people who go through the pantry. One of them is the reference that people make of all these people in subsidized housing and the negativity it has. The amount of people living in an apt (15) and that concern should be the landlord or the City's not the tenants. The amount of non-residents in Franklin who don't have a roof over their heads and rather live in the woods. Why are there no resources and the services are so poor that they can't get in or can't get what they need. They are constantly talking about no transportation to get to a job if they get one.

Rev. Heavey addresses all those that come in as neighbors not clients and the volunteers at the pantry as staff. People have concerns about the renewal in Franklin and will they begin to tear up the housing as then people would have to move. Employment is a concern and people want to know if they can get a job at the places that are being renovated. Are there any job applications that can be brought to the pantry for people who go there to fill them out. There is a blanket label of the people who go to the pantry and Rev. Heavey is trying hard to treat each person as an individual and not label them. Many people who go to the pantry don't intend to live like they are but they are hopeless, sick, invisible, beaten, neglected, hear many broken promises and fearful. Rev. Heavey asked how many people have the Council invited on to committees for their advice about what is going on out in the community.

Mayor Merrifield stated that he and the Council are very grateful for their work and that they have their support.

Councilor Desrochers asked if she knew how many individuals and families are homeless in Franklin. Rev. Heavey stated people without homes are very jittery people for many reasons and they don't like to be known and stay hidden. She would love to find a human way to do a census. Mayor Merrifield interjected and stated that the State of NH conducts a census state wide every year and there is a whole range of workers conducting this. Councilor Dzujna stated that you do have to pay for food from the food bank but if you could come to the Choose Franklin meeting and come and talk about getting people involved in the committees. All of the meetings and subcommittees are open to the public and we would love more people to attend.

Agenda Item VII.

City Council to consider Lions Club request to waive vendor fees for Renaissance Festival.

Motion: *Councilor Dzujna moved that the Franklin City Council waive the vendor fees for the Renaissance Festival being organized by the Lions Club for September 24, 2016.
Motion seconded by Councilor Desrochers.*

All in favor, motion passes.

Agenda Item VII.

City Council to review and approval of NHMA Legislative Policy Proposals.

Councilor Clarenbach questioned item on page 10 item 10 - Complete Streets. He isn't sure what this entails as Franklin already has an Urban Compact and hopes this isn't an additional item of some type of Urban Compact. City Manager Dragon had a question about this as well and what concerns her is cost. She thinks it is a good idea for planning for future but has concerns about what might come up because of how broad that is and what costs might be shifted to municipalities.

Mayor Merrifield was concerned about page 7 number 14 – Local Option Revenue Sources. He had heard about legislation that allows cities and towns to collect additional taxes. He had heard about bigger cities like Manchester and Concord being able to collect additional rooms and meals tax to collect additional revenue but smaller towns it would be harder. City Manager Dragon stated this is a Portsmouth initiative to collect additional rooms and meals tax because they feel they are not getting enough from the State. There was additional conversation at NHMA about changing the format of how much communities are going to get.

Mayor Merrifield was also concerned about page 1 number 1 – Site Evaluation and Local Input. He stated that this would slow down the process for any company who wants to site energy infrastructure in the State of NH.

Councilor Dzujna stated that Leigh and Annette brought up concerns especially with non-meetings and the lawyer not being present. He was concerned about page 5 number 4 – Tax Exemptions for Charitable Organizations, and knows Franklin has a pilot program now but are they looking to go beyond that. City Manager Dragon stated there is a concern of a broadening of the tax exemptions but CATCH housing falls under a separate statute and formula for property taxes.

City Manager Dragon was concerned about page 11 number 17 – Environmental Regulation and Preemption. She was concerned if this was an attempt to create an issue that could impact the Northern Pass project. These are policy statements and a concept and not a draft of what might go into legislation. They are a concept and a certain community is looking to see if NHMA would support them.

Another item of concern is page 7 number 19 – State Revenue Structure and State Education Funding. City Manager Dragon feels this is a standing policy but should really be an action item as they get more attention and NHMA draft legislation themselves to push the issue forward. Any

education funding usually pits communities against one another so NHMA has a policy that if it is divisive then they won't support and stay neutral. City Manager Dragon's concern is there has been changes in the way funding has been allocated and no one has been on top of that like the School Board Associations and no one is actively participating in conversations. She passed out some legislation that she stumbled upon today which was Senate Bill 227, which talks about the adequate education and they define that cost as \$3,561.27 per pupil according to the daily average attendance. There is also some different aid for other items. On page 3 it states "No stabilization grant shall be distributed to any municipality for any fiscal year in which the municipality's education property tax revenue collected pursuant to RSA 76 exceeds the total cost of an adequate education or to any municipality for any fiscal year in which they municipality's ADMA is zero." City Manager Dragon did call the Department of Education today and left a message. What they passed was if you are raising local education dollars that exceeds that adequate education costs that they have calculated you lose your entire stabilization funding. If the City Council had given the school an additional approximately \$200K we would have lost over \$4M in the Stabilization grant from the State according to our average daily attendance. City Manager Dragon is surprised that there aren't other communities angered over this or that no one is following the education funding. This doesn't have anything to do with NHMA proposals this was legislation that was sponsored and passed this year.

Councilor Giunta stated that we go through this one by one or the governing body votes on this and not allow the City Manager to say anything but approve the entire docket. City Manager Dragon clarified that they urge Manager's to bring it to their Council to get your opinion and you remove the one's you are not comfortable with and then the Managers, as the voting delegate, remove those and state why. They do at times still go through but our reasons why they shouldn't are noted.

Motion: Councilor Desrochers moved that the Franklin City Council support the 2017-2018 NHMA Legislative Policies. Motion seconded by Councilor Giunta.

Motion: Councilor Giunta moved that the Franklin City Council table the previous motion until September. Motion seconded by Councilor Starkweather.

All in favor, motion passes.

Agenda Item IX.

Other Business

- 1. Committee Report** – Councilor Dzjuna just wanted to remind everyone that there is a liaison committee meeting on August 8 in City Hall. Councilor Giunta stated that there will be a Finance committee on August 16 at 6:00 pm in City Hall downstairs.
- 2. Mayor's Appointments** –

Trustees of the Trust Fund

Mayor Merrifield reappointed Kenneth Duguay to the Trustees of the Trust Fund (Seat TT2); term of service to September, 2019.

Conservation Commission – Mayor Merrifield has put these appointments on hold as he has heard there may be others who want to run for these positions.

3. City Council's Appointments – Supervisor of the Checklist, Ward II

Motion made by Councilor Clarenbach to regretfully acknowledge the resignation of Carol Edmunds as Supervisor of the Checklist, Ward II (Seat SCW23). Seconded by Councilor Starkweather. All in favor, motion passes.

- 4. City Manager's Update** – City Manager Dragon wanted to thank Chief LaChapelle, Deputy Goodearle and Josh Lee on the fire truck project. Chief LaChapelle spoke and thanked the Council for their support and the team work on this project was overwhelming. City Manager Dragon shared some statistics on the code enforcement and Franklin's new inspector Steven Reale is doing very well.

City Manager Dragon advised that the City received the following contingent grant line amount: \$2,102.78 from STEP Grant, \$1,500 from Walmart for Fire Department, \$361.25 donation from Wild Lions Group to K9 Max and \$50 from Book Club.

City Manager Dragon asked the Council to consider moving the September Council date as the original date is September 5 and that is a holiday to either September 12 or September 13.

Motion: Councilor Dzujna moved that the Franklin City Council move the September City Council date to September 12, 2016. Motion seconded by Councilor Giunta.

All in favor, motion passes.

City Manager Dragon stated that the fire and police have been doing a good job keeping their facebook pages up to date. On the Franklin Fire page you might have seen pictures from a visit by the Governor to Franklin and she visited with the Chief and took a tour of Franklin after recent storm damage.

SAU Withdrawal Plan will be presented to the Department of Education on August 15. City Manager Dragon and Director Milner plan on attending.

City Manager Dragon has been accepted to the Economic Development Academy at UNH in Manchester and will be attending five in person class sessions on August 22 and 23, September 23, October 14 and November 18.

City Manager Dragon and Mayor Merrifield met with some ladies from Afghanistan through the World Affairs Council and spoke to them about government.

City Manager Dragon brought up one more point about someone who wanted to use the Council Chambers to film a commercial. Typically the space isn't used during the day to avoid disruption of City services and use of the space is normally done through the Opera House for other times. City Manager Dragon's concern was that commercials of that nature are to make sure that the City of Franklin was not seen as endorsing anyone. Mayor Merrifield interjected and stated that this is a political commercial that was to be filmed in Council Chambers and the Council should say yes or no as to whether or not it is to be filmed in chambers. The difficulty is making sure you don't tie the Council to supporting the Candidate by allowing use of the space regardless of who the candidate is. Due to their tight time frame City Manager Dragon didn't feel they will use the space but wanted to mention it as it is a public building and there are policies about rental of the building through the Opera House and feels the only thing that can be done is not tying the City to any of it. Councilor Clarenbach stated he has no issue with anyone who is renting the hall.

5. **Late Items** –

City Council to consider revision of language in the approved contract between State Employee's Association of NH (SEA) (representing municipal service department positions) and the City.

City Manager Dragon stated that this doesn't change anything with or in the contract. The Union Representative, who is new, wanted specific language in the contract. Paul Fitzgerald drafted this and City Manager Dragon has reviewed it. It is just changing a word.

Motion: Councilor Clarenbach moved that the Franklin City Council approve the proposed modification of language in section 10.1 & 10.2 of the two year Agreement approved for July 1, 2016 to July 1, 2018 between the City of Franklin and the SEA of New Hampshire (Municipal Service Department Employees). Motion seconded by Councilor Dzujna.

All in favor, motion passes.

Adjournment

Motion to adjourn made by Councilor Clarenbach and seconded by Councilor Desrochers. All in favor; meeting adjourned at 7:47 p.m.

Respectfully Submitted,

Lauraine G. Paquin