

Approved by City Council on September 14, 2020



City Council Special Meeting Minutes
Monday, July 20, 2020
Non-public 5:30 p.m. – Public Session 6:00 p.m.
Webmeeting via Zoom

City Council attendance:

	Location/others present
Mayor Giunta	Home/no others present
Councilor Jo Brown	Home/no others present
Councilor Scott Clarenbach	Home/no others present
Councilor Bob Desrochers	Home/no others present
Councilors George Dzujna	Home/no others present in the room
Councilor April Bunker	Home/no others present in the room
Councilor Ted Starkweather	Absent
Councilor Olivia Zink	Home/no others present in the room
Councilor Paul Trudel	Absent
Councilor Karen Testerman	Home/no others present

Mayor Giunta called the meeting to order at 5:35 p.m. via Zoom. He then read the Compliant Right to Know Statement.

Salute to the Flag was led by Audrey Lanzillo.

Motion – Councilor Clarenbach moved that the Franklin City Council enter into a non-public session 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 public.

Seconded by Councilor Desrochers.

Mayor Giunta asked if there was any discussion. There was none.

Roll call to enter into non-public:

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

All in favor. Motion PASSED.

Entered into non-public at 5:47 p.m.

Motion to return to public session was made by Councilor Dzujna. Seconded by Councilor Testerman.

Mayor Giunta asked if there was any discussion. There was none.

Roll call to return to public session:

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

Seven in favor. Motion PASSED.

Public Session reconvened at 6:47 p.m.

Motion to seal the minutes was made by Councilor Dzujna. Seconded by Councilor Brown.

Mayor Giunta asked if there was any discussion. There was none.

Roll call to seal the minutes:

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

Seven in favor. Motion PASSED.

Public Hearings

Community Development Block Grant Project

1. A proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant Public Facility funds. The CDBG funds will be used for improvements, including parking, lighting and landscaping to City owned parcels on Memorial and Canal Streets

He stated that informational documents regarding these public hearings are currently and have been available on the City website.

Mayor Giunta opened the public hearing on the proposed project – Parking Improvements on Memorial and Canal Streets at 6:54 p.m.

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

This is a proposed application to the Community Development Finance Authority for up to \$500,000 in Community Development Block Grant Public Facility funds. The CDBG funds will be used for improvements, including parking, lighting and landscaping to City owned parcels on

Memorial and Canal Streets (map/lot #117-147-00, 117-261-00, 117-1454-00, 117-148-00) in downtown Franklin.

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

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

Mayor Giunta asked if there were any comments from the public.

Marty Parichand, Ward 3 resident stated that his role with the Downtown Committee means that he is a part of the decision making to move on certain grants as opposed to others. As a resident, business owner, and someone who is heavily involved in creating a Whitewater Park in Franklin, this grant makes a lot of sense on multiple levels. Although the current economic climate is not conducive to municipality growth, it is a good idea to apply for grants to offset TIF funds which is basically betting on ourselves rather than going for grants that may or may not be there next year or the year after.

Parichand continued to state that he is incredibly worried that the stories of our progress are replaying itself due to COVID. The Return on Investing in ourselves will be credited to every resident. We are already seeing positive changes with real estate on the market and we are ready to make a substantial change with the Whitewater park. He concluded stating this was a great idea of Jim Aber's and Niel Cannon's and he is in support of it.

Mayor Giunta asked if there were any further comments. There were none.

Councilor Zink pointed out that the map lot read by the Mayor, 117-1454-00 normally only has three numbers after the first three so she asked to double check to be certain.

City Manager Milner stated that the Canal Street map lot number should be 117-154-00. All the other map lot numbers are correct.

City Manager Milner and Mayor Giunta thanked Councilor Zink for catching that. Milner stated that Mayor Giunta should re-read the correct map lot number so that it is stated in the minutes correctly.

Mayor Giunta stated that the Public Hearing is still open and will re-read the City Owned Parcels on Memorial and Canal Streets (map lot#117-147-00, 117-261-00, 117-150-00, and 117-148-00) in Downtown Franklin.

Councilor Desrochers and Councilor Brown asked Mayor Giunta if the map lot number was correct and that it was supposed to be 117-154-00.

Mayor Giunta apologized and read them again to make sure it is stated correctly. The correct map lot numbers are #117-147-00, 117-261-00, 117-154-00, and 117-148-00.

Mayor Giunta asked if there were any further comments. There were none.

Public hearing on #1 closed at 7:06 p.m.

2. The Housing and Community Development Plan

The public hearing opened at 7:07 p.m.

Mayor Giunta stated that the purpose of the Housing and Community Development Plan for the City of Franklin is to identify the characteristics and general need with regards to housing and community development.

The plan intent is to promote discussion and stimulate thinking about the future. The plan is further intended to be used by city officials during Community Development Block Grant application process, which provides a direct benefit to low and moderate income persons in the City of Franklin.

Franklin's three-year short and long-term goals and objectives are as follows:

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. (Long Term & Short Term Goal)

Objectives:

Encourage safe, decent, attractive, and affordable housing for all segments of the population, with focus on the increasing elderly population.

Support efforts to improve water quality and wastewater treatment in compliance with NH DES regulations.

Goal: To protect historically significant buildings, (Long Term & Short Term Goal)

Objectives:

Promote rehabilitation and preservation of historically significant buildings.

Renovate the historically significant Franklin Opera House to meet handicap accessible regulations.

Goal: Participate in economic development activities. (Long Term & Short Term Goal)

Objectives:

Retain existing manufacturing/industrial jobs, expand job opportunities in all sectors.

Encourage employee readiness through education and training.

Encourage downtown revitalization.

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

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

Goal: Encourage town recreational activities. (Long Term & Short Term Goal)

As a matter of policy, the City of Franklin will minimize the involuntary displacement of households from their neighborhoods.

These goals are consistent with Franklin's Master Plan and Ordinances.

Federal CDBG grant funds awarded shall be consistent with the national objectives and shall, at a minimum, provide improved housing in accordance with Section 8 standards, public facilities, or employment opportunities primarily to low and moderate income persons or households. Grants shall not benefit moderate income persons to the exclusion of low income persons.

Mayor Giunta asked if there was any public comment. There were none.

Public hearing on #2 closed at 7:11 p.m.

3. The Residential Antidisplacement and Relocation Assistance Plan for this project. No relocation is anticipated.

The public hearing opened at 7:12 p.m.

Mayor Giunta stated that this Plan states in general, that if the City were to undertake a CDBG project which involved displacement and resulting relocation they would follow the Uniform Relocation Act requirements. The Residential Antidisplacement and Relocation Assistance Plan outlines the measures they would take to find comparable, housing for persons (or businesses) displaced and/or relocated. This project is not anticipated to require any relocation.

Mayor Giunta asked if there were any comments. There were none.

The public hearing on #3 closed at 7:13 p.m.

Agenda Item I

Council is to consider approval for the City Manager to apply for up to \$500,000 in Community Development Block Grant Public Facility funds through the Community Development Finance Authority. The CDBG funds will be used for improvements including parking, lighting and landscaping to City owned parcels on Memorial and Canal Streets.

**Motion – Councilor Desrochers moved that the Franklin City Council adopt the Housing and Community Development Plan.
Seconded by Councilor Brown.**

Mayor Giunta asked if there was any discussion. There was none.

Roll call:

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

Councilor Testerman asked if the Block Grant requires matching City funds. City Manager

replied that yes, the City normally matches it 1:1. It could also be less than 1:1.

All in favor. Motion PASSED.

Councilor Desrochers stated that the match doesn't need to be in monetary form. It can also equate to labor to improve something. City Manager replied that in this particular CDBG Grant, it will be a dollar for dollar match.

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

Mayor Giunta asked if there was any discussion. There was none.

Roll call:

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

All in favor. Motion PASSED.

**Motion – Councilor Brown moved that the Franklin City Council approve the submittal of the application and moved 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 Dzujna.**

Mayor Giunta asked if there was any discussion.

Councilor Clarenbach stated that he is not in support of the second part of this motion without knowing where the match is coming from.

Councilor Zink asked if the City needs to maintain ownership of the parcels stated in this Grant for a period of time in order for it to be awarded. Milner replied that the City needs to maintain ownership of the City Parcels which is the "Infield" section of the grant.

Milner replied to Councilor Clarenbach's questions stating that we are hoping to use the TIFF to match the Grant. We will also need to appropriate the Grant when it is received so the match would be appropriated at that time.

Clarenbach stated that he did not see this TIFF match portion in the budget. Milner replied that the FY21 budget does not include this grant at this time.

Milner stated that there is \$350K expenditure is for the two lots which came from the current

TIFF project. This would be our expenditure anyway if we didn't get this grant. If we do receive this grant, we don't know the amount we would be approved for. It could be \$500K or less which will free up the other side of the budget.

Councilor Bunker asked for clarification on the appropriation later and how that is voted on. Milner replied that the grant amount will be appropriated with half coming from CDBG and the other half will be from the TIFF district which has already been approved and appropriated. The half that needs to be appropriated will be done through a resolution.

There was no further discussion.

Roll call:

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

All in favor. Motion PASSED.

Agenda Item II.

City Council is to consider approval of Resolution #01-21, a Resolution relating to appropriations and estimated revenues for Fiscal Year 2021.

Motion – Councilor Dzujna moved that the Franklin City Council approve Resolution #01-21, a Resolution relating to appropriations and estimated revenues for Fiscal Year 2021.

Seconded by Councilor Brown.

Mayor asked if there was any discussion.

Councilor Desrochers referred to page 104 and stated that there is a \$250K grant for parking lots at Keegan Block and Church Street. He asked if that money had to be used specifically for that or can it be used for streets and sidewalks. Desrochers explained the specific areas where sidewalks are falling apart and unsafe to walk on and need to repair these is greater than the Keegan Block parking lot.

Milner replied that the \$250K is from a Capital Reserve Municipal Transportation Improvement Fund and can be used for other things however the City had a preliminary discussion regarding parking at the Keegan Block Lot to help the redevelopment of the buildings in our downtown.

Councilor Zink asked Milner to explain the differences in the resolution shared tonight versus the original resolution in the budget book. Milner explained the changed to the cell tower lease revenues, debt service for capital leases, revenue for Bessie Rowell, reduction of the CAP office, reduction in holiday lighting, building permits revenue, the DARE Program, the Rec Center Summer Program, the before and after school program, a reduction in the City Manager's Contingency Line.

Councilor Dzujna asked if there was also a reduction in Other Improvements – Technology. Milner replied that she missed that one and explained there is a reduction in the security cameras at Odell Park. This did not eliminate the cameras at Odell Park. The City was able to encumber the project which actually started in FY2020. Milner added that there is a lot of vandalism in Odell Park so the cameras are a necessity. Dzujna asked if the City attorney provided direction on use of the revenue from the cell tower lease. Milner replied that according to the DRA or RSA that it is not illegal to use those funds elsewhere but it isn't appropriate for GAP Accounting.

Councilor Testerman concurred with Councilor Desrochers on funds going toward the road and sidewalks. They need to be addressed desperately.

Councilor Clarenbach stated that as Chairman of the Municipal Services Committee, he believes the focus is all on the downtown area however the roads, sidewalks, and other City infrastructure are in critical need of repair which will lead to severe issues in the future. He stated that it is hard to justify the \$250K going into two parking lots.

Councilor Zink stated that she is also disappointed that there is no money appropriated for roads and sidewalks. She asked if the \$250K Grant is earmarked for the parking lots. Milner replied that these funds are not grant funds but a capital reserve that was discussed and previously agreed on earlier this year by the City Council.

Councilor Clarenbach expressed concern that there wasn't enough information on this and although he doesn't see how it can be justified, he doesn't want to hinder the approval of the overall budget tonight.

Mayor Giunta stated that there were other opportunities to address concerns on the budget and tonight was not meant to go through it and pick it apart.

Councilor Starkweather agreed with Councilor Clarenbach and asked the City Manager if there are currently any Infrastructure Grants that the City can apply for so our roads and sidewalks can be fixed.

Milner replied that she has heard some discussions around this type of grant coming in the future but none at the moment. As soon as there are, the City will apply for them.

Councilor Brown added that it is clear the City needs to repair many of the roads in Franklin however the Council had voted and made a commitment to a developer who is working every single day to develop our downtown. It would not be appropriate for the Council to pull that funding out at the last minute. Brown suggested that as a member of the MSD Committee as well, that she and Clarenbach search for the kind of funding that can be used for the City's sidewalks, roads, and infrastructure.

Councilor Starkweather agreed that Brown's suggestion makes very good sense and the MSD Committee can be proactive and focus of the areas that need the most attention first so when

the grants are found, all our plans are in place and ready to address.

Councilor Dzujna concurs with Councilor Brown and feels the Council is sending mixed messages to residents when we agree on one thing in one meeting and then change last minute.

Mayor Giunta asked the Council for any final comments and stated that a tremendous amount of work goes into the budget every year. He thanked the City Manager, Finance Director Gaudette, and everyone who helped to pull this budget together.

Councilor Testerman stated that she does not object to this current budget and informed the Mayor that there are a lot of complaints on the roads and sidewalks coming in.

Mayor Giunta added that the Council consists of 9 smart people who are making decisions for the long term and building our tax base for the future. He concluded by stating that the Council should not lose sight of a \$30-\$40M investment project in our Downtown that will take care of these other issues.

Roll call:

Councilor Brown	Yes	Councilor Dzujna	Yes	Councilor Zink	No
Councilor Clarenbach	No	Councilor Bunker	Yes	Councilor Testerman	Yes
Councilor Desrochers	No	Councilor Starkweather	Yes	Councilor Trudel	Absent

Five in favor. Motion PASSED.

Agenda Item III.

Disposition of City Property

Motion – Councilor Dzujna moved that the Franklin City Council authorize the City Manager to dispose of City Property map/lot 117-154-00 via direct sale to Stevens Mill LLC in the amount of \$40,000.

Seconded by Councilor Starkweather.

Mayor Giunta asked if there was any discussion.

Councilor Zink asked if this property is sold, does it need to be removed from the CDBG Grant. Milner replied that the Grant will be adjusted if this motion moves forward.

Mayor Giunta asked if there was any discussion. There was none.

Roll call:

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

All in favor. Motion PASSED.

City Manager brought forward one more item regarding allowing Stevens Mill a 7-year, 79E application.

Motion – Councilor Brown moved that the Franklin City Council support the Stevens Mill LLC moving forward with a 7-year 79E application and to authorize the City Manager to entertain a developer’s agreement from Chinburg Builders/Stevens Mill LLC to guarantee up to \$35K per year bond payment for Franklin Falls Mixed Use Tax Increment Finance Authority Amendment 1 Project.

Seconded by Councilor Desrochers.

Mayor Giunta asked if there was any discussion.

Councilor Clarenbach asked City Manager Milner if the Council would need to vote on the 79E application once it’s completed. Milner replied that the Council would need to vote on the public hearing and then the application. Tonight’s motion is just to show support.

Roll call:

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

All in favor. Motion PASSED.

Councilor Desrochers moved to adjourn. Seconded by Councilor Clarenbach

The meeting adjourned at 7:55 p.m.

Respectfully submitted,

Audrey Lanzillo