



## **City Council Special Meeting Minutes Monday, July 26, 2021 - 6:00 p.m. Council Chambers, City Hall**

**Council in attendance:** Interim Mayor Olivia Zink, Councilor Jo Brown, Councilor Scott Clarenbach, Councilor Bob Desrochers, Councilor Jay Chandler, Councilor Paul Trudel, Councilor Karen Testerman, Councilor April Bunker, Councilor Ted Starkweather

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

Mayor Zink called the meeting to order in Council Chambers at 6:00 p.m.

Salute to the Flag was led by Councilor Desrochers.

### **Agenda Item I.**

City Council to discuss ARPA Funding.

City Manager Judie Milner stated that the City will be receiving more funds than originally thought from the American Rescue Plan Act (ARPA) Federal Government funding. The City expects to receive \$909,334 but must agree tonight that City wants to accept these funds then officially accept the funds by August 18<sup>th</sup>. This rule was set by the Treasury Department. The list of projects to spend this money does not need to be decided on tonight.

Milner explained that Franklin is a non-entitlement community and there are additional funds available to non-entitlement communities. There are county funds, NH Department of Environmental Services (NHDES) funds, and also Community Development Finance Authority (CDFA) funds likely available to Franklin. There is also the potential to match these funds with a CDBG Grant for another strategic way of funding a City project.

Milner offered a few ideas of where Franklin could spend the funds however the guidelines from the state have not been fully vetted and confirmed at this time. She suggested the possibility of these funds to be used for Water and Sewer, loss revenue, or broadband projects. The funds do not need to be obligated until December 31, 2024 with an expected project completion date of December 31, 2026.

Municipal Services Director Brian Sullivan provided a priority list of projects to the Council this evening.

The Council asked questions on the Municipal Services priority project list, which shows the current up to date costs and what different buckets they would fall under. Milner further explained that our sidewalks projects may have access to funds under the Federal

Transportation Department through the Safe Routes to School funds. The City would need to apply for those funds as well.

Councilor Trudel asked if the county or NHDES provided indication on what Franklin's share could be and what municipalities may have priority to receive the funds. City Manager Milner stated that NHDES is following the allocation guidelines of the Drinking Water State Revolving Fund and the Clean Water State Revolving Fund Guidelines. Franklin scores very high to receive these funds.

**Motion – Councilor Desrochers moved that the Franklin City Council accept the Federal ARPA Funds which will appropriated at a later date. Seconded by Councilor Brown.**

There was no further discussion.

**All in favor. Motion PASSED.**

## **Agenda Item II.**

City Council to discuss Redistricting, deadlines for filing, and review of supporting information.

Interim Mayor Zink stated that the Charter needs to be amended with new census apportionment data which will be released on August 16<sup>th</sup>.

Councilor Brown asked if the City is required to redistrict. Interim Mayor Zink replied that the City is required for wards to be equally populated within a 5% deviation range.

Councilor Testerman stated that since the City doesn't have a newspaper, residents need to be notified in an additional way other than just on the City website. She also added that the City may want to wait until the Chinburg properties are completed as that could further skew the number of residents in its' ward.

City Manager Milner informed the Council that there isn't enough time to add this to the ballot for October's election therefore a special election will be needed if the Council wishes to have one.

Councilor Desrochers stated that the delay in the census results and deadlines the City is faced with is not leaving enough time to review and make these changes. He suggested that the City ask for an extension from the Secretary of State's Office.

Interim Mayor suggested another option may be writing a letter to the Special Committee and asking to place all three wards into one district. She also stated that it would be a good idea to respond to their questions letting them know what the timeline restrictions are and that a Charter change is needed.

**Motion - Councilor Clarenbach moved to remove the wording from the Charter altogether to avoid having to make expensive amendments in the future by way of special elections and add the agreed wording under a City Ordinance instead. Seconded by Councilor Starkweather.**

**Councilor Clarenbach amended the motion to draft a letter to the state's special committee on redistricting that Franklin is considering creating one single district and since the census data is not available at this time, the City does not have time to give public notice of changes to the district lines. Seconded by Councilor Chandler.**

There was no further discussion.

**All in favor of the amended motion. Motion PASSED.**

**Eight in favor of the original motion. One opposed. Motion PASSED.**

Councilor Clarenbach agreed to draft a letter to the State's special committee regarding the City's redistricting challenges.

### **Agenda Item III.**

Other

**Motion – Councilor Desrochers moved that the Franklin City Council enter into nonpublic session according to RSA 91-A:3, II (c) Matter which, if discussed in public, would likely affect adversely the reputation of any person, other than a member of this board, unless such person requests an open meeting. This exemption shall extend to include any application for assistance or tax abatement or waiver of a fee, fine or other levy, if based on inability to pay or poverty of the applicant.**

**Seconded by Councilor Bunker.**

**Roll call:**

<b>Councilor Brown</b>	<b><u>Yes</u></b>	<b>Councilor Chandler</b>	<b><u>Yes</u></b>	<b>Councilor Testerman</b>	<b><u>Yes</u></b>
<b>Councilor Clarenbach</b>	<b><u>Yes</u></b>	<b>Councilor Starkweather</b>	<b><u>Yes</u></b>	<b>Councilor Trudel</b>	<b><u>Yes</u></b>
<b>Councilor Desrochers</b>	<b><u>Yes</u></b>	<b>Councilor Bunker</b>	<b><u>Yes</u></b>	<b>Councilor Zink</b>	<b><u>Yes</u></b>

**All in Favor. Motion PASSED.**

**Entered into nonpublic session at 6:43 p.m.**

**Motion to leave nonpublic and return to public session made by Councilor Clarenbach and seconded by Councilor Desrochers.**

There was no discussion.

**All in favor. Motion PASSED.**

**Public Session reconvened at 7:01 PM**

**Motion to seal the minutes was made by Councilor Desrochers because it is determined that divulgence of this information likely would render a proposed action ineffective. Seconded by Councilor Starkweather.**

There was no discussion.

**Roll call to seal the minutes:**

Councilor Brown	<u>Yes</u>	Councilor Chandler	<u>Yes</u>	Councilor Testerman	<u>Yes</u>
Councilor Clarenbach	<u>Yes</u>	Councilor Starkweather	<u>Yes</u>	Councilor Trudel	<u>Yes</u>
Councilor Desrochers	<u>Yes</u>	Councilor Bunker	<u>Yes</u>	Councilor Zink	<u>Yes</u>

**All in favor. Motion PASSED.**

**Motion – Councilor Desrochers moved to enter into nonpublic session according to RSA 91-A:3, II (I) Consideration of legal advice provided by legal counsel, either in writing or orally to one or more members of the public body, even where legal counsel is not present. Seconded by Councilor Bunker.**

There was no discussion

**Roll call:**

Councilor Brown	<u>Yes</u>	Councilor Chandler	<u>Yes</u>	Councilor Testerman	<u>Yes</u>
Councilor Clarenbach	<u>Yes</u>	Councilor Starkweather	<u>Yes</u>	Councilor Trudel	<u>Yes</u>
Councilor Desrochers	<u>Yes</u>	Councilor Bunker	<u>Yes</u>	Councilor Zink	<u>Yes</u>

**All in Favor. Motion PASSED.**

**Entered into nonpublic session at 7:03 p.m.**

**Motion to leave nonpublic and return to public session made by Councilor Brown and seconded by Councilor Trudel.**

There was no discussion.

**All in favor. Motion PASSED.**

**Public Session reconvened at 7:14 PM**

**Motion to seal the minutes was made by Councilor Brown because it is determined that divulgence of this information likely would render a proposed action ineffective. Seconded by Councilor Trudel.**

There was no discussion.

**Roll call to seal the minutes:**

<b>Councilor Brown</b>	<b><u>Yes</u></b>	<b>Councilor Chandler</b>	<b><u>Yes</u></b>	<b>Councilor Testerman</b>	<b><u>Yes</u></b>
<b>Councilor Clarenbach</b>	<b><u>Yes</u></b>	<b>Councilor Starkweather</b>	<b><u>Yes</u></b>	<b>Councilor Trudel</b>	<b><u>Yes</u></b>
<b>Councilor Desrochers</b>	<b><u>Yes</u></b>	<b>Councilor Bunker</b>	<b><u>Yes</u></b>	<b>Councilor Zink</b>	<b><u>Yes</u></b>

**All in favor. Motion PASSED.**

**Motion – Councilor Clarenbach moved to enter into nonpublic session according to RSA 91-A:3, II (I) Consideration of legal advice provided by legal counsel, either in writing or orally to one or more members of the public body, even where legal counsel is not present. Seconded by Councilor Desrochers.**

There was no discussion.

**Roll call:**

<b>Councilor Brown</b>	<b><u>Yes</u></b>	<b>Councilor Chandler</b>	<b><u>Yes</u></b>	<b>Councilor Testerman</b>	<b><u>Yes</u></b>
<b>Councilor Clarenbach</b>	<b><u>Yes</u></b>	<b>Councilor Starkweather</b>	<b><u>Yes</u></b>	<b>Councilor Trudel</b>	<b><u>Yes</u></b>
<b>Councilor Desrochers</b>	<b><u>Yes</u></b>	<b>Councilor Bunker</b>	<b><u>Yes</u></b>	<b>Councilor Zink</b>	<b><u>Yes</u></b>

**All in favor. Motion PASSED.**

**Entered into nonpublic session at 7:15 p.m.**

**Motion to leave nonpublic session and return to public session was made by Councilor Brown and seconded by Councilor Clarenbach.**

There was no discussion.

**All in favor. Motion PASSED.**

**Public session reconvened at 8:14 p.m.**

**Motion to seal the minutes was made by Councilor Bunker because it is determined that divulgence of this information likely would affect adversely the reputation of any person other than a member of this board. Seconded by Councilor Trudel.**

There was no discussion.

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Roll call to seal the minutes:

<b>Councilor Brown</b>	<b><u>Yes</u></b>	<b>Councilor Chandler</b>	<b><u>Yes</u></b>	<b>Councilor Testerman</b>	<b><u>Yes</u></b>
<b>Councilor Clarenbach</b>	<b><u>Yes</u></b>	<b>Councilor Starkweather</b>	<b><u>Yes</u></b>	<b>Councilor Trudel</b>	<b><u>Yes</u></b>
<b>Councilor Desrochers</b>	<b><u>Yes</u></b>	<b>Councilor Bunker</b>	<b><u>Yes</u></b>	<b>Councilor Zink</b>	<b><u>Yes</u></b>

**All in favor. Motion PASSED.**

**Motion to adjourn was made by Councilor Bunker and seconded by Councilor Desrochers.**

Councilor Chandler asked when the Council would discuss the Council meeting that will fall on Labor Day. Interim Mayor Zink replied that it will be discussed during the August City Council Meeting.

**All in favor. Motion PASSED.**

**The meeting adjourned at 8:15 p.m.**

Respectfully submitted,

Audrey Lanzillo