

**CITY COUNCI MEETING
DECEMBER 19, 2011**

Call to Order

Mayor Merrifield called the meeting to order at 7:00 p.m. in the Council Chambers, Franklin City Hall. Salute to the Flag was said led by Councilor Trudel.

In Attendance

Councilor Clarenbach, Councilor Starkweather, Councilor Boyd, Councilor Trudel, Councilor Feener, Councilor Bowers, Councilor Sharon, Councilor Andreozzi, Mayor Merrifield and City Manager Dragon.

Absent

Councilor Audet

Fiscal Year 2010 Audet

Motion made by Councilor Bowers that the Franklin City Council accepts the FY10 Audet, motion seconded by Councilor Boyd.

Councilor Bowers complimented the job Finance Director Milner has done keeping things in line and keeping the Council on top of the budget throughout the year. Councilor Feener congratulated Director Milner on a great audit, no management letter which is always good and no conditions of concern.

Councilor Feener called the question, seconded by Councilor Sharon. 7 in favor, 1 opposed. The question is called.

Motion to accept the audit passes. 7 Yes votes, 1 opposed.

Bessie Rowell Reuse Plan

Motion made by Councilor Feener that the Franklin City Council adopt the proposed plan as presented for use of the Bessie Rowell School Building and Proulx Center. Motion seconded by Councilor Bowers.

Manager Dragon commented that back on August 23rd the City Council held a workshop with reference to a proposed reuse of the Bessie Rowell Community Center and since that time there have been several revisions to the actual layout of the building but the concept has remained the same. The building is currently empty and the building is being maintained and the heat is at a very low level.

The final layout of the project which was included in the pack includes the TRIP Center, Tiny Twisters, Headstart, the Rec Center, a small office for the Drug Task Force. There is a multi-purpose room which would common space and a meeting room that would also be common space.

When the Council met in August there were several questions that needed to be answered. At first it was considered moving Planning & Zoning to the Bessie Rowell Community Center; however, as the process went along it became clear that Headstart was a better fit for the space that had been allocated to Planning & Zoning. Instead Planning & Zoning and the Assessing Department would be relocated in the Proulx Center.

The Tiny Twisters were recently awarded a CDBG Block Grant and as the facilitator of that grant through the City, request proposals went out for a grant administrator. An administrator has not been hired yet and nothing in the plan has been implemented. She stated tonight is an important night because if the Council votes to move forward with this plan, the grant administrator can be hired and start implementing the plan. She advised they have a good finalized plan, they have had a visit from the Fire Marshall's office, several meetings have been held with all the organizations involved, a draft lease agreement has been prepared by the City Attorney, some lease numbers have been suggested in terms of the space and that is allocated by the amount of space each organization has in a room.

Manager Dragon stated the idea of the reuse of the Bessie Rowell Building really started with the Recreation Director stating the building would be a great place for our facility; it would answer a lot of the concerns existing at the current

location and would offer a chance to do some things that the Rec has not been able to with the use of the shared kitchen. Shortly after this Tiny Twisters plans involved and they expressed their interest in the Bessie Rowell Building. From that point a plan has been created that makes a lot of sense.

The first phase of the plan would be to move in these organizations during March, April, and May and into June depending on how quickly everything can be organized. The current Rec Building would become on the first level as you walk into the Center, it would be shared office similar to the way it is currently upstairs in City Hall for Planning & Zoning and Assessing and a little further into the next office would be where the Planning & Zoning Administrator would be located. Downstairs in the Proulx Center is a large room that is right off the door from the parking lot where FBIDC would be located.

The winter basketball program would remain at the Proulx Center December through March in the evenings after 5:30 p.m. The MSD Grounds Department would remain at the Proulx Center and this keeps a presence at the Center. Manager Dragon stated the difference in funds between what is being proposed for the two buildings and what the current expenses come to is \$13,310.49. It does not quite breakeven but is reasonable and doable. If you compare the current budget (\$69,578.20) to what is estimated to keep the Bessie Rowell building empty and run the Proulx Center as it currently exists (\$108,954.75), \$39,376.55 per year would have to be found until the building were sold or some other plan is approved. Manager Dragon also advised there has been some windows broken in the building and the longer the building is vacant the more it will be subject to acts of vandalism. If this project were to move forward one of the items covered by the CBDG grant is security cameras and that would be one of the first things to be installed even prior to anyone occupying the building to offer protection to the building and the assets. Manager Dragon stated the plan was try to get everything to break even but that was not quite accomplished, however, it is close considering there would space left in the Proulx Center on the

lower level and in the future possible space in the top floor wherein other options might be considered such as leasing or other revenue generated options. The Trip Center, The Headstart Program, and Tiny Twisters all met today to iron out more things and make sure all questions were answered. Manager Dragon commented that Brian Barry has been a huge help in not only looking after and taking care of the building but also running numbers and getting quotes.

The Drug Task Force is currently located on the lower level of City Hall and is more or less out of sight, out of mind and no one knows when she is here as no one sees her. Moving her to the Bessie Rowell Center right at the entrance to the building not only puts her in the direct path of not on the children she is working with but the parents as well so it would bring a much larger exposure to the Drug Task Force Program.

The Rec Center's busy time is when Headstart is already out of the building as Headstart is usually out of the building around 2:30 p.m. except for staff members and the Rec doesn't start getting busy until after that time as the kids come from school with the exception of in the summer. The Middle School is a user of the Rec Center so they would be able to work over and enjoy the facilities.

The TRIP Center has been in their building for some time and they have concerns in their building in terms of maintenance. A group from the TRIP Center has gone and taken a look at Bessie Rowell and they are very much in support of the proposed project. Manager Dragon advised that if this moves forward the next thing that would be done with the TRIP Center and Headstart would be requesting the Council set a public hearing for another CDBG Grant similar to what was done with Tiny Twisters because there will be things that they will need to do to the building to make improvements. She also stated as those improvements are being made there will be some things the City will be able to do in improvements to the common areas such as get back the ceiling fans that were removed from the building. Manager Dragon stated the nice thing about the CDBG Grant is that if a public hearing is held by January 23rd, we would be able to get into the next round. Approximately \$230,000 of the CDBG Grant has

been used and in this funding category up to \$500,000 can be used. The time that the building would first become occupied is the time the next round of funding would be received for Headstart and the TRIP Center. Manager Dragon advised they have spoken to grant writers and people at CDFA and TRIP Center and Headstart would score very high in another CDBG application round. They also have already funded one phase of this program and this is simply another phase of the program moving forward. The CDBG Grant with Tiny Twisters has not required any expenditure from the City.

Manager Dragon commented by moving FBIDC to the Proulx Center, the money that is given to them each year in their budget for rent would come back to the City. Manager Dragon stated in the past FBIDC has had some concerns about being located in City Hall because of confidentiality with clients who could be potential developers, this arrangement offers the confidentiality they would need having a separate entrance. The tour that was taken a while back to Claremont, their model for economic development was to bring together planning and zoning and their economic development group all in one spot. The other benefit is City Hall has ADA accessibility issues with the second floor for Assessing and Planning/Zoning. Right now if there is an elderly client or someone who cannot do the stairs we call and someone will come downstairs to wait on them. There is no lift to get to the second floor. The other thing having these departments relocate to the Proulx Center as there is a heavy weight load of many files/cabinets that would be eliminated.

Manager Dragon stated she feels this is a good plan that not only addresses needs of the City but needs of different organizations as well that the City is tied to. Manager Dragon also commented that the Commercial kitchen in the Bessie Rowell building is a key piece to this program because many of these organizations require a food program; but the great thing is there is not a concern for coordination, the food program is being run by the same CAP organization so Tiny Twisters, TRIP Center, Headstart and the summer Recreation Program all go through the same CAP Food Program.

Councilor Feener commented this is a great plan and great use of a building that is unoccupied. What is being done in other communities in utilizing vacant buildings and congratulations to City Manager Dragon and the Staff in developing this plan. Mayor Merrifield agreed with Councilor Feener and stated that it is obvious how incredibly complicated this redevelopment plan is and it has had different shapes and forms and obvious a tremendous amount of work has gone into this plan.

Councilor Boyd stated he is totally in favor of this plan, he stated he was disappointed when Bessie Rowell was going to close knowing what could happen to the facility if left vacant. Councilor Boyd stated after hearing the Manager's presentation tonight, he stated the Council needs to move forward with this project. He stated it is a good location and has lot of good things inside of the facility that are very useful to the organizations and he stated he is 100% in favor of the project.

Councilor Bowers stated he is in agreement with Councilor Feener and Councilor Boyd. Councilor Bowers commented a lot of hours and hard work has gone into the development of this project. He stated as the project goes forward there will be more questions but the presentation by Manager Dragon has answered all the questions to-date. He stated he hopes the name stays as Bessie Rowell Community Center. Manager Dragon responded that she is calling the building Bessie Rowell Community Center but actually that is a Council decision. There was a request by Councilor Sharon to rename another building but nothing has come back from that request.

Councilor Sharon stated that when he brought the naming of a building Bessie Rowell there had been no talk of naming the school, Bessie Rowell Community Center. He stated the proper thing to do would be to leave the name there, it has always been there. Councilor Sharon also thanked Manager Dragon and the Department Heads for putting this plan together and he stated it is an outstanding plan and one of the most positive things Franklin has done in a long time.

Councilor Andreozzi stated she applauds everyone for all the hard work that has been put into this project and she stated one of her chief concerns was the adult business type things trying to co-exist in the same hall with the children and that has been eliminated and she states she feels that makes this a really good plan. She stated since Headstart was never in the plan before she would like to hear why they wanted to move, what their advantages are, and what kind of agreement is being considered for them. Manager Dragon commented that Headstart was always in the discussion but just not in the Bessie Rowell building as in the beginning the Proulx Center was being considered for them. Headstart did look at the Proulx Center but there were things they felt that did not meet their needs and they really wanted to be located where Tiny Twisters was going and the more discussions that took place with Headstart it came to light that it does make very good sense to have them located right across from the Rec Center because of the timing of their programs. Currently Headstart is renting from a church and the building is for sale and they are paying a relatively high rent and this would bring them into an area where there is a possible partnership with Tiny Twisters that is continuing to develop. Concerning length of agreement, if a CDBG grant is done for the other two changes, a long-term agreement would be needed (10/20 years). Councilor Andreozzi asked what would happen if Headstart does not receive a grant. If they did not receive the grant there would be things they would have to fund in order to relocate. Stacey with Tiny Twisters commented that the Director of Community Development Finance Authority was part of the project change for Tiny Twisters and the application to the CDBG Grant. Stacy stated she was a huge part in getting Tiny Twisters where they are at with the grant. The day Tiny Twisters was approved by their Board, she pulled Stacey aside and said, listen let Headstart know and let the TRIP Center know that they can apply in January for the remaining portion, and Stacey commented so they have come to them once again for this project so she stated in her opinion the chances of funding are pretty favorable.

Councilor Starkweather thanked the staff for the time devoted to this project. He stated another thing that has not been brought up that in the grant there is money for a generator which will satisfy the need for emergency shelter in the

City which the City currently does not have. Manager Dragon commented that is correct, a generator was added. However, she advised that when they had a walk through with the Fire Marshal, if the City were to shelter over- night, there would be a need for some limited sprinklers. However, if there is a power outage there would definitely be a place to bring people but for over-night shelter, other things would be required.

Councilor Clarenbach advised he is not going to vote in favor of this project because of the Recreation Center being at Rowell but has no problem with bringing the other groups to Rowell and would be a good use of the building. However moving one City Department to Rowell and then backfilling the other one, the City is paying for two buildings and currently we cannot even take care of the Fire Station roof that is leaking. He stated there are issues that need to be looked at before starting to expand programs. He also asked if it is correct that the entire summer program would be at Rowell and Manager Dragon advised that is correct. Councilor Clarenbach asked is transportation going to be an issue for the summer program so that could be another issue of moving kids to Rowell and trips to the library, etc. Manager Dragon stated one thing she forgot to mention is that each organization will be contributing \$5,000 annually to a capital reserve account.

Councilor Andreozzi stated that the Basketball program that would remain at the Proulx Center, there is an adult group also and would the Rec Department have to provide someone to supervise. Director Alpers advised that the children and the adult basketball are within the same time frame so there would be a staff person from the Rec Center there and that would be continued if the Recreation Department moves because practices would take place at Bessie Rowell but not the actual games and the adult pickup basketball.

Councilor Trudel inquired if any information has been solicited from the School Board or Dr. Ward as to what her opinion might be for the long term projections for this building being needed as a school again in another two or three years. Manager Dragon stated she has not personally solicited that information from Dr.

Ward but she advised she was at the meetings where the Council was asking those questions when the decision was being made to close the school and the answers were pretty clear that there was no intention of reopening the school and if they needed to have expansion they would do something else. Mayor Merrifield commented that he remembers quite clearly that they suggested that portable classrooms would be used before they would ever return to the building.

Vote on the motion to approve the plan. 7 Yes votes and 1 No votes. Motion passes to approve the plan for the Bessie Rowell Community Center.

Cross Street Water Tank Replacement Project located on Willow Hill

Motion made by Councilor Bowers to kill the Cross Street Water Tank Replacement Project due to a lack of funding.

Mayor Merrifield called a point of order stating wherein the Council has already taken action on this project, what probably would be called for is a motion to reconsider and that would place the approval before the Council again.

Councilor Bowers withdrew his motion.

Councilor Bowers made a motion to reconsider the approval of the Cross Street Water Tank Replacement Project, motion seconded by Councilor Andreozzi.

Mayor Merrifield advised that this motion places the original motion of approval of the project before the Council which passed by a 5 to 4 vote.

Councilor Bowers stated the City Council has made it very clear that water rates would not be raised to acquire additional funding for this project. City Staff and the City Manager have recommended not to use current capital balance; therefore, there is no other funding mechanism for this project. He further stated the State thinks Franklin is going to proceed with this project so money being held up that could be used by another community.

Councilor Sharon commented he feels the City should move forward with this program and the water rate increase suggested to do this project was reasonable. Councilor Boyd commented that he is not against the project but does not feel this is the time for it and the fact the City has to come up with a million dollars which would have to be bonded. He suggested this is just not a good time for this project but there will be a time for this project to go forth.

Mayor Merrifield commented he hates to leave money on the table and inquired if these funds from the State could be rolled into other projects such as refurbishing of the tanks and the answer was no. Manager Dragon commented she knows the answer is no to refurbishing as that was asked but she is not sure about anything else. She stated it had to be in the application when it was scored and originally the City scored 14 and then bumped up because someone else did not take advantage and she stated she does not think anything will qualify. Director Sullivan advised when the MSD Committee met, that was one of the questions. The answer is the State has not been notified of where the City is with this so he stated his first question would be again to ask the State if they would consider funding West Franklin Tanks as it doesn't hurt to ask and that would not require a rate increase. He stated when the City is notified that is something that will be put in there to try.

Mayor Merrifield commented that it has been pointed out that the working capital not be used although the funds are there. Director Sullivan stated the concern there are other issues with the water and sewer systems and this is not the time to take from the working capital. Mayor Merrifield commented doing this project would not deplete the working capital to zero. Manager Dragon responded that is correct but it would take \$600,000 but would bring us to an uncomfortable level of about \$400,000 in the working capital. Councilor Starkweather inquired if this is State money and Director Sullivan responded it is actually Federal money run through the State of New Hampshire. Each State gets drinking water funds.

Mayor Merrifield clarified since the Council is reconsidering the motion to approve the project, a vote in favor (yes vote) would be to approve the project to move forward and a no vote will do the opposite.

Vote on the Motion: 8 no votes, the project will not move forward.

Arbor Day Proclamation

Mayor Merrifield read the proclamation into the record:

In the Year of our Lord, Two Thousand Eleven.

A Proclamation relating to ARBOR DAY.

WHEREAS, Trees can reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce oxygen and provide habitat for wildlife; and

WHEREAS, Trees are a renewable resource giving us paper, wood for our homes, fuel for fires, and countless other wood products; and

WHEREAS, Trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community, and

WHEREAS, Trees are a source of joy and on May 9, 2011 in celebration of Arbor Day, 108 new Arborvitae Trees were planted on the City Access Road to the new Water Treatment Facility.

NOW, THEREFORE, BE IT RESOLVED, I Ken Merrifield, Mayor of the City of Franklin, New Hampshire, do hereby proclaim December 23, 2011 as:

ARBOR DAY

And urge all citizens to support its efforts to care for trees and woodlands and to support our city's community forestry programs. We encourage all citizens to

plant trees to gladden the hearts and promote the well being of present and future generations.

Other Business

Manager's Update

Great Gains Forest – Manager Dragon there have been many discussions through the years concerning the Great Gains and the use of funds and the restrictions placed on the use of funds. Manager Dragon commented she had provided each Councilor with a private, non-public envelope containing information from Attorney Paul Fitzgerald concerning the Great Gains Forest and the follow-up conversation related to the Conservation Commission's request in a non-public session. Manager Dragon stated she believes the information provided is enough to allow the City to move forward but more importantly also move forward with what has been referred to as Cy Pres petition to clarify this for the future. Manager Dragon inquired into the cost of such a petition and was informed by Attorney Fitzgerald that this work could be done under the retainer and there would be some miscellaneous which would be under \$500.00 and likely take 3 to 6 months to complete. Manager Dragon stated the Conservation Commission has been quietly waiting and asking what the status is. She stated she feels she can move forward under the guidance the City Council has given and also move forward with the Cy Pres petition at the same time. Councilor Bowers asked what the Cy Pres would do and Manager Dragon responded more information will come back to the Council but because of some of the restrictions on the donations really doesn't make sense anymore. Councilor Feener stated this is a very good procedure to go through because this keeps coming up every other year and the City is not making any headway on what can be done. Mayor Merrifield commented that he would be delighted to have this clarified. There was no objection from the City Council to go ahead and move forward with the Conservation Commission.

Motion made by Councilor Bowers that the Franklin City Council go into non-public session under RSA 91-A: 3 II A, the dismissal, promotion or compensation of any public employee by a roll call vote. Motion seconded by Councilor Feener.

Roll Call:

Councilor Clarenbach – Yes

Councilor Starkweather – Yes

Councilor Trudel – Yes

Councilor Sharon – Yes

Councilor Boyd – Yes

Councilor Feener – Yes

Councilor Bowers – Yes

Councilor Andreozzi – Yes

All in favor, a short break was taken and the Council entered into non-public at 8:10 p.m. The Council came out of non-public at 8:40 p.m.

Motion was made by Councilor Feener and seconded by Councilor Boyd that the City Council renew City Manager Dragon's contract for four (4) additional years with a clause stating 100% of dental and medical will be paid by the City.

Vote on motion to renew contract for 4 more years: 7 Yes Votes and 1 No Vote.

Note: Motion was not made to seal the minutes of the non-public session; therefore, they are attached to these minutes.

Motion to adjourn made by Councilor Feener, seconded by Councilor Bowers. All in favor, meeting adjourned at 8:45 p.m.

Respectfully submitted,

Sue E. May

