CITY COUNCIL MEETING

AGENDA ITEM V



CITY OF FRANKLIN, NH

COUNCIL AGENDA REPORT FEBRUARY 2, 2015

Subject:

Franklin City Council to conduct a Public Hearing at 6:06 P.M. and subsequent

vote on proposed Ordinance 09-15, an ordinance to change the Franklin Municipal Code Chapter 160-1 "Fees", increasing the water availability charge,

per quarterly billing cycle by \$10.

Date:

January 22, 2015

Recommended Motion:

Councilor Moves:

"I move that the Franklin City Council approve Ordinance 09-15 by roll call vote.

Mayor calls for a second and a vote.

Discussion

On Tuesday January 20, 2015 the Franklin City Council conducted two public hearings and subsequently adopted Resolutions 05-15 and 06-15. The first public hearing on Resolution 05-15 was held to consider if the City Council desired to move forward with two important, time sensitive water infrastructure projects, known as the "Route 3 Water Main Relocation Project" (cost \$250,000) and the "Cross Street Tank Rehabilitation Project." (Cost \$515,000).

The second public hearing on Resolution 06-15 was conducted to consider what type of funding mechanism(s) could potentially be utilized based on positive consensus by the City Council to move forward with the project funding. Based on research presented by the Municipal Services Director, the City Council came to the decision that the most attractive and affordable option for project funding is to utilize the \$765,000 NHDES/DWSRF grant/loan program. The basis for reaching this decision is the minimum of at least 15% loan forgiveness, with an interest rate that varies from 1.9% to 3.1%, depending on which type loan is selected. Resolution 06-15 also authorizes the City Manager and /or Mayor to enter into DWSRF loan agreement with NHDES for funding, utilizing this program and executing the necessary legal documents. Both resolutions passed unanimously.

Based on the outcome of the two public hearings on January 20, 2015, the City Council will consider how to raise the revenue to support the loan payments. Also on January 20, 2015 a Public Hearing and agenda item were scheduled for the February 2, 2015 City Council Meeting at 6:06P.M... The public hearing and subsequent vote will consider a proposed change to Chapter 160-1 "Water Fees" of the Franklin City Code increases the quarterly "Water Availability Charge" by \$10 per quarter.

Timing is critical if we are to move forward and meet construction timeline goals on both projects for the upcoming 2015 construction season. Work should commence towards the beginning to middle of July 2015. If this schedule is to be achieved, funding; design; state agency reviews; preparation of plans and bid documents; advertising and contract awards; especially those established for the NHDOT project must be underway by mid February 2015. My best estimate on the project planning phase is about 160 days. This is the period of time required once the City Council takes the necessary actions to fund the projects, submit the final DWSRF application as identified above to the point that construction gets underway.

Concurrences:

The Franklin Water Department operates as a Federally Licensed Public Water System with 2,314 service connections. Being a Public Water System, we are required to meet stringent operating standards established by the United States Environmental Protection Agency (USEPA) in compliance with the "Safe Drinking Water Act". Additionally, this City Department must comply and operate within the regulatory requirements adopted by the State of New Hampshire, Department of Environmental Services. We have six state licensed public water system operators. Typical ongoing requirements include: NHDES Sanitary Survey Inspections; meter replacement and maintenance; quarterly billing; customer service; bi- monthly water sampling for bacteria and e-coli to ensure water quality; disinfection; water filtration; operation and maintenance of the system; well and pump maintenance; station and tank maintenance; providing adequate storage capacity; meeting minimum and maximum pressure requirements to the customer and the very important function of fire protection and hydrant maintenance.

These two projects have been deemed as priority projects by the Franklin City Council based on the passage of Resolutions 05-15 and 06-15. They are also high priority projects for NHDES and NHDOT. Most importantly they appear as priority projects in the Water Department Capital Improvements Program.

Fiscal Impact:

City staff and our engineers have met with upper level staff at NHDES and NHDOT. The NHDOT "U.S. Route 3 Reconstruction Project" budget, excluding the \$250,000 city cost to relocate the 12" City Water Main, is \$4,200,000.

The "Cross Street Water Tank Rehabilitation Project" is estimated at \$515,000. If the city lets the Cross Street tank run to failure the replacement cost is estimated to be between \$1,200,000 and \$1,400,000. We also risk public safety having lack of fire protection and will undoubtedly have water quality concerns citywide. The Cross Street tank provides water to one of three water pressure zones/ service areas in the City known as the Willow Hill Service Area.

Each water service connection from the water main to the curb stop is currently assessed a quarterly "Water Availability Charge". This charge has remained unchanged for 27 years. Communities with higher water rates tend to be far more proactive by investing in necessary Capital Infrastructure Projects. Given the size and age of the Franklin Water Department's infrastructure we have a significant challenge maintaining a safe, operable water system, while keeping water rates as low as possible. The current "Water Commodity Charge" for 748 gallons

of filtered safe drinking water to the customer is at \$4.72. This is slightly above the state average.

The City Council has been provided three amortization schedules for consideration. All are based on a loan of \$765,000 with a minimum of 15% grant forgiveness. Any type of funding option chosen will require some form of loan because the City ratepayer can not support a \$765,000 capital budget request to be funded in one year. Therefore, we must decide on whether to increase the "Water Commodity Charge" or increase the quarterly "Water Availability Charge" as our funding source on the loan.

I advocate the latter option believing to be the most logical approach which is to pay off the debt by increasing the quarterly "Water Availability Charge" by \$10 per quarter. This option provides a stable and consistent source of revenue to the water fund, does not rely on water consumption and the charge is spread out evenly to each water customer.

Should the City Council decide to increase the quarterly "Water Availability Charge" by \$10 to all 2,314 customers, it would raise approximately \$92,000 per year in additional annual revenue. This would be sufficient to cover a ten year loan with an annual payment of \$71,839. The remaining balance of \$20,161 should be placed into a dedicated "Water Department Capital Reserve Fund" because inevitably other components of the water system will be need maintenance, repair and upgrades. When considering this recommendation remember we appropriated \$0.00 to the Fiscal Year 2015 Water Department Capital Account.

Finally, when considering a ten, fifteen or twenty year loan, including the 15% forgiveness calculated into the payment schedule, the total interest paid over the life 10 year loan is \$68,144; \$164,900 on a fifteen year loan and \$245,749 in interest if we choose a twenty year loan. These amortization schedules are included with this report.

With regard to the question of using revenue from the "Municipal Transportation Improvement Fund" there are three critical projects that may need to be funded in whole or partially from this fund which are: our 25% share of the Hazard Mitigation Grant for the Haynes Brook Culvert Replacement Project; Cheney Street Widening and Retaining Wall Replacement Project and possibly the Reconstruction of a section of Industrial Park Drive.

Another potential funding source mentioned was revenue derived from the Cross Street Tank leases from Sprint and U.S. Cellular. Although the current combined leases generate \$30,864 annually for general fund revenue the current U.S. Cellular lease expires in 2021 and the Sprint lease expires in 2020. Both leases have provisions to vacate the premises with a 60 day notice. Given the rapid change in technology I have been told by professionals in this field that antenna arrays will eventually be a thing of the past so I am unsure that this option provides us with a long term steady revenue stream.

Alternatives:

Continued operation, maintenance and upkeep of the City Water Department are essential to supply clean potable water; adequate capacity and fire protection. This is one of the most basic components of our City's infrastructure. Without reliable facilities there is the negative effect towards attracting and maintaining residential, commercial and industrial growth. More importantly every City institution both private and public, rely on water to function. We must also consider the quality of life that safe, clean drinking water provides to our customers!

Because the Water Department is Federally and State regulated, involves public health, and must be reliable, it is my role as the registered owner/operator of this system to operate and

maintain it in the most economical manner, satisfying our license requirements while always considering the long term effect on the ratepayer.

It is also my duty in this capacity to advocate for the long term viability of our City Water System as well as the ratepayer. Great strides have been made with the support of the City Council, Ratepayer, State and Federal Governments to get this system where it needs to be. As you can see from this report I have great concerns with respect to future costs, the magnitude of the work that extends well into the future and how the water fund can support our long term needs.

Attachments/Exhibits:

- >Resolution # 05-15
- >Resolution # 06-15
- >Ordinance #09-15
- >Letter from NHDES dated 12/9/14 with amortization schedule
- >Municipal Transportation Improvement Fund Balance Sheet

CITY OF FRANKLIN, NEW HAMPSHIRE



"The Three Rivers City"

316 Central Street Franklin, NH 03235 (603) 934-3900 fax (603) 934-7413 cityhall@franklinnh.org

Resolution 05-15

A Resolution requesting guidance from the Franklin City Council relative to the appropriation of funds necessary to undertake two major Water Department Infrastructure Projects in the Summer of 2015.

In the Year of our Lord, Two Thousand Fifteen.

WHEREAS, the State of New Hampshire, Department of Transportation has completed 90% design drawings on the "U.S. Route 3 / Industrial Park Drive Reconstruction Project" and the Engineers Opinion of Probable Cost for the City Water Department to relocate 1,540 linear feet of its 12" water main and associated appurtenances, determined to be in conflict with new state highway infrastructure, is now estimated at \$250,000; and

WHEREAS, the Municipal Services Director, with ongoing assistance from several independent companies that specialize in the inspection; condition assessment and rehabilitation of steel water tanks have determined that the 500,000 gallon Cross Street Water Tank is in such a condition that if tank rehabilitation is not undertaken this next construction season, it will be subject to additional failure, along with the possibility that the tank could be nearing the point that it will be beyond the option of structural repair, thereby raising significant concern due to the fact that the Cross Street Tank provides sole water storage capacity for the entire "Willow Hill Service Area" at an estimated cost of \$515,000; and

WHEREAS, for these two projects to be accomplished in a timely manner, with a construction start date of mid July 2015, it will necessitate project funding in the estimated amount of \$765,000; preparation and filing of final loan/grant applications; project design including plans, specifications and bid documents; agency plan review; environmental review; State of New Hampshire Governor and Council approval; authorization to bid and final completion of the bid phase and award in a period within an approximate 160 day cycle; and

NOW, THEREFORE BE IT RESOLVED by the Franklin City Council, Franklin, New Hampshire realizing the need of these projects for the purpose of protecting public health and safety, hereby adopts Resolution 05-15 with the understanding that Resolution 06-15 will be necessary to authorize borrowing along with a change to Chapter 160-1 "Water Fees" of the Franklin City Code to support the revenue necessary to finance the two projects.

Resolution #05-15 Page 2

Roll Call Vote:							
Councilor Clarenbach	<u>Abse</u> nt	Councilor Dzujna	Yes				
Councilor Giunta	Yes	Councilor Wells	Yes				
Councilor Boyd	Yes	Councilor Feener	Yes				
Councilor Desrochers	<u>Yes</u>	Councilor Barton	Y <u>es</u>				
Councilor Starkweather	Yes						
Approved: Mayor							
Passed: January 20, 2015							
I Certify that said vote has not been amended or repealed and remains in full force and effect as of the date of this Certification and that Katie Gargano is the City Clerk for the City of Franklin, Franklin, New Hampshire. A true copy Attested Katie Gargano, City Clerk							

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CITY OF FRANKLIN, NEW HAMPSHIRE

"The Three Rivers City"

316 Central Street Franklin, NH 03235

(603) 934-3900 fax (603) 934-7413 cityhall@franklinnh.org

RESOLUTION 06-15

A Resolution granting the City Manager the authority to file an application for the State of New Hampshire Drinking Water State Revolving Fund (DWSRF) Program and designating the City Manager as the City's authorized representative.

WHEREAS, the City of Franklin, Franklin, New Hampshire after thorough consideration of the nature of its water system needs, hereby determines that the undertaking of certain works, generally described as the "Cross Street Water Storage Tank Rehabilitation Project and Route 3/Industrial Park Drive Water Main Relocation Project" is desirable and in the public interest, and to that end it is necessary to apply for assistance from the Drinking Water State Revolving Fund (DWSRF) in an amount not to exceed \$765,000; and

WHEREAS, the City of Franklin has examined and duly considered the provisions of RSA 486:14 and the New Hampshire Code of Administrative Rules Chapter Env-Dw 1100, which relate to loans from the Drinking Water State Revolving Fund and deems it to be in the public interest to file a loan application and to authorize other actions in connection therewith; and

NOW, THEREFORE, BE IT RESOLVED BY the Franklin City Council, Franklin, New Hampshire, the governing body of said City of Franklin as follows:

- 1. That Elizabeth Dragon, City Manager for the City of Franklin is hereby authorized on behalf of the City of Franklin (City) to file an application for a loan to be made in accordance with New Hampshire Code of Administrative Rules Chapter Env-Dw 1100, furnishing such information, data, and documents pertaining to the City for a loan as may be required; and otherwise to act as the authorized representative of the City in connection with this application and if such loan be made, is the designated authorized representative of the City responsible for furnishing such information, data and documents pertaining to disbursements for the loan;
- 2. That if such loan be made, the City of Franklin agrees to repay the loan as stipulated in the loan agreement;
- 3. That certified copies of this resolution be included as part of the application to be submitted for a loan;

By a Roll Call vote.

Roll Call Vote:

Councilor Clarenbach	Absent	Councilor Desrochers	Yes
Councilor Giunta	Yes_	Councilor Dzujna	Yes
Councilor Boyd	Yes	Councilor Feener	Yes
Councilor Barton	Yes	Councilor Wells	Yes_
Councilor Starkweather	Yes	ω.	

Resolution 06-15 Page 2

Approved:	Kenther	
	Mayor (
Passed:	January 20, 2015	
	Date	

I certify that said vote has not been amended or repealed and remains in full force and effect as of the date of this Certification and that Katie A. Gargano, is the City Clerk for the City of Franklin, Franklin, New Hampshire.

A true copy, attested: Kalle A Hangans
City Clerk

Date: January 22,2015

CERTIFYING AUTHORIZATION TO BORROW

I, the undersigned, the duly qualified and acting City Clerk/Tax Collector of the City of Franklin, Franklin, New Hampshire herein called the "applicant" and keeper of the records of the applicant, including the journal of the proceedings of the City of Franklin herein called the "Governing Body" do hereby certify:

- 1. That the attached Resolution #06-15 is a true and correct copy of the Resolution as finally adopted at a meeting of the Governing Body held on the 20 day of January _____, 2015 and duly recorded in my office;
- 2. That said meeting was duly convened and held in all respects in accordance with law and to the extent required by law; due and proper notice of such meeting was given; and a legal quorum was present throughout the meeting; and a legally sufficient number of members of the governing body voted in the proper manner and for the adoption of said Resolution including publication, if required, have been duly fulfilled, carried out, and otherwise observed; and that I am authorized to execute this certificate;
- 3. That if an impression of the seal has been affixed below, it constitutes the official seal of the City of Franklin and this Certificate is hereby executed under such official seal; but if no seal has been affixed, the Applicant does not have an official seal;

IN WITNESS WHEREOF, I have hereunto set my hand this 22 day of January, 2015.

(seal)

Katie A. Gargano,

City Clerk City of Franklin

Kotick Hangano



The State of New Hampshire

DEPARTMENT OF ENVIRONMENTAL **SERVICES**



Thomas S. Burack, Commissioner

December 19, 2014

Brian Sullivan, Municipal Services Director City of Franklin 43 West Bow Street Franklin, NH 03235

Subject: Drinking Water State Revolving Loan Fund (DWSRF)

FY 2014 Project Priority List-Additional Funds

Dear Brian:

The purpose of this letter is to inform you that additional FY2014 DWSRF funds are available for the City of Franklin for the U.S. Route 3 /Industrial Park Drive Water Main Replacement Project for \$250,000 in addition to the \$515,000 for the Cross Street Tank Rehabilitation Project for a total loan amount of \$765,000. Based on the information submitted in the pre-application, the City of Franklin is eligible for 15% principal forgiveness of the final amount of funds disbursed for the projects.

The next step to move forward with project funding is to submit a final application. The documents are listed on the enclosed checklist and available on line at http://des.nh.gov/organization/divisions/water/dwgb/capacity/dwsrf.htm.

We understand that final authorization to borrow funds for the two projects will be in March. Be advised. funding for this project is available until June 30, 2015.

We ask that you keep us informed of progress made toward seeking the authority to borrow. Should your project not move forward, please contact us as soon as possible. If you have any questions, please contact me at 271-7017 or johnna.mckenna@des.nh.gov.

Sincerely,

Johnna McKenna

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Drinking Water and Groundwater Bureau

DES Web Site: www.des.nh.gov P.O. Box 95, 29 Hazen Drive, Concord, New Hampshire 03302-0095 Telephone: (603) 271-2513 Fax: (603) 271-5171 TDD Access: Relay NH 1-800-735-2964

Estimated Repayment Schedule

							Forgiveness %	Payments	Charge Rate	Loan Amt	Input
							0.15	10	0.0198	\$765,000.00	F
	10	9	00	7	6	U1	4	ω	2	H	Year
	70,444.58	152,023.89	232,019.30	310,461.54	387,380.79	462,806.60	536,767.98	609,293.36	680,410.61	\$765,000.00	Begin Bal.
\$114,750.00 \$68,143.85	\$0.00	\$12,750.00	\$12,750.00	\$12,750.00	\$12,750.00	\$12,750.00	\$12,750.00	\$12,750.00	\$12,750.00	\$12,750.00	Forgiveness
\$68,143.85	1,394.80	3,010.07	4,593.98	6,147.14	7,670.14	9,163.57	10,628.01	12,064.01	13,472.13	\$0.00	Interest
\$650,250.00 \$718,393.85	70,444.58	68,829.31	67,245.40	65,692.25	64,169.25	62,675.81	61,211.38	59,775.38	58,367.25	71,839.39	Principal
\$718,393.85	\$71,839.39	\$71,839.39	\$71,839.39	\$71,839.39	\$71,839.39	\$71,839.39	\$71,839.39	\$71,839.39	\$71,839.39	\$71,839.39	Payment
	(i	70,444.58	152,023.89	232,019.30	310,461.54	387,380.79	462,806.60	536,767.98	609,293.36	680,410.61	Ending Bal.

Estimated Repayment Schedule

Input		Year	Begin Bal.	Forgiveness	Interest	Principal	Payment	Ending Bal.
Loan Amt	\$765,000.00	1	\$765,000.00	\$6,039.47		44,799.89	\$44,799.89	714,160.64
Charge Rate	0.03168	2	714,160.64	\$6,039.47	22,624.61	22,175.28	\$44,799.89	685,945.89
Payments	20	3	685,945.89	\$6,039.47	21,730.77	23,069.12	\$44,799.89	656,837.29
Forgiveness %	0.15	4	656,837.29	\$6,039.47	20,808.61	23,991.28	\$44,799.89	626,806.54
		5	626,806.54	\$6,039.47	19,857.23	24,942.66	\$44,799.89	595,824.41
		6	595,824.41	\$6,039.47	18,875.72	25,924.17	\$44,799.89	563,860.76
		7	563,860.76	\$6,039.47	17,863.11	26,936.78	\$44,799.89	530,884.51
		8	530,884.51	\$6,039.47	16,818.42	27,981.47	\$44,799.89	496,863.57
		9	496,863.57	\$6,039.47	15,740.64	29,059.25	\$44,799.89	461,764.85
		10	461,764.85	\$6,039.47	14,628.71	30,171.18	\$44,799.89	425,554.20
		11	425,554.20	\$6,039.47	13,481.56	31,318.33	\$44,799.89	388,196.39
		12	388,196.39	\$6,039.47	12,298.06	32,501.83	\$44,799.89	349,655.09
		13	349,655.09	\$6,039.47	11,077.07	33,722.81	\$44,799.89	309,892.81
		14	309,892.81	\$6,039.47	9,817.40	34,982.48	\$44,799.89	268,870.85
		15	268,870.85	\$6,039.47	8,517.83	36,282.06	\$44,799.89	226,549.32
		16	226,549.32	\$6,039.47	7,177.08	37,622.80	\$44,799.89	182,887.04
		17	182,887.04	\$6,039.47	5,793.86	39,006.03	\$44,799.89	137,841.54
		18	137,841.54	\$6,039.47	4,366.82	40,433.07	\$44,799.89	91,369.00
		19	91,369.00	\$6,039.47	2,894.57	41,905.32	\$44,799.89	43,424.21
		20	43,424.21	\$0.00	1,375.68	43,424.21	\$44,799.89	(0.00)
				\$114,750.00	\$245,747.74	\$650,250.00	\$895,997.74	

City of Franklin, New Hampshire Municipal Transportation Improvement Fund Per RSA261:153 Voted By City Council 7/6/09

Revenue:				Spent/Obligated:	
Month	Year	Actual	Projected	Project	Amount
August	2009	2,365	Val arabian	Downtown Transportation	1,500
September	2009	3,115		Industrial Park Drive	30,000
October	2009	3,540			
November	2009	3,255		i	
December	2009	3,070			
January	2010	3,225		1	
February	2010	3,075		1	
March	2010	4,020			
April	2010	4,325			
May	2010	3,575			
June	2010	3,605		1	
July	2010	3,660			
August	2010	3,465			
September	2010	3,055			
October	2010	4,230			
November	2010	3,280			
December	2010	2,770			
January	2011	3,265			
February	2011	2,980			
March	2011	3,865			
April	2011	4,030			
May	2011	3,900			
June	2011	3,390		l	
July	2011	3,685		1	
August	2011	3,545		1	
September	2011	3,485			
October	2011	3,780		1	
November	2011	3,585		I	
December	2011	2,835		1	
January	2012	3,380		1	
February	2012	3,215		I	
March	2012	3,845		1	
April	2012	3,830		1	
May	2012	3,740		I	
lune	2012	3,677		l .	
luly	2012	3,460		ľ	
August	2012	3,605		I	
September	2012	2,945		ľ	
October	2012	4,110			
November	2012	3,645		ľ	
December	2012	2,720			
anuary	2013	3,380			
ebruary	2013	3,040			
March	2013	3,680		I	

City of Franklin, New Hampshire Municipal Transportation Improvement Fund Per RSA261:153 Voted By City Council 7/6/09

Revenue:				Spent/Obligated:	
Month	Year	Actual	Projected	Project	Amount
April	2013	4,350		1	(======================================
May	2013	3,965			
June	2013	3,365			
July	2013	3,700			
August	2013	3,850			
September	2013	3,155			
October	2013	4,510			
November	2013	2,950			
December	2013	3,065			
January	2014	3,470			
February	2014	2,955			
March	2014	3,525			
April	2014	4,680		•	
May	2014	4,870			
June	2014	4,325			
July	2014	3,975			
August	2014	3,920			
September	2014	3,540			
October	2014	4,390			
November	2014	2,870			
December	2014	3,670			
Ï					
	_				
		231,347	0		
Grand To	tal	231	,347		31,500

Average Annual Revenue

43,378

Balance in Fund

199,847

CITY OF FRANKLIN, NEW HAMPSHIRE



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316 Central Street Franklin, NH 03235 (603) 934-3900 fax (603) 934-7413 cityhall@franklinnh.org

Change To

ORDINANCE #09-15

AN AMENDMENT TO THE FRANKLIN MUNICIPAL CODE:

In the Year of our Lord, Two Thousand Fifteen;

Be it ordained by the City Council of the City of Franklin that the Franklin Municipal Code, Chapter 160, Fees, 160-1 Fees charged for service by the City of Franklin Water Department be changed as follows:

Current Fee

Water billing rates (availability charge)	20.00	30.00				
5/8" meter	20.00	30.00				
1" meter	45.00	55.00				
1 1/2" meter	100.00	110.00				
2" meter	200.00	210.00				
3" meter	450.00	460.00				
Over 3" meter	900.00	910.00				
Fee to be effective February 1, 2015 by a roll of	all vote.					
Roll Call:						
Councilor Barton	Councilor Feener	·				
Councilor Boyd	Councilor Giunta					
Councilor Clarenbach	Councilor Starkweather					
Councilor Desrochers	Councilor Wells	-				
Councilor Dzujna						
Approved:						
Approved: Mayor						
Passed:						
I certify that said vote has not been amended or repealed and remains in full force and effect as of the date of this Certification and that Katie A Gargano is the City Clerk for the City of Franklin, Franklin, New Hampshire.						
A true copy, attested:						
City Cle						
Date.	•)					



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CITY OF FRANKLIN NOTICE OF PUBLIC HEARING & MEETING

In accordance with the provision of Chapter 31, Division 2 of the Franklin Municipal Code, notice is hereby given that the City of Franklin will hold a Public Hearings on Monday, February 2, 2015 at 6:06 p.m. in the Council Chambers, Franklin City Hall concerning Ordinance #09-15 which relates to the changing of the water availability charge by \$10.00 per quarter.