

CITY COUNCIL MEETING

AGENDA ITEM I



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

June 1, 2015 City Council Meeting

Subject: Approval of Minutes

Motion: *“I move that the Franklin City Council approves the minutes of the May 4, 2015 City Council Workshop Meeting.”*

Mayor calls for a second, discussion and the vote.

**CITY COUNCIL MEETING
MAY 4, 2015**

Call to Order

Mayor Merrifield called the meeting to order at 6:00 p.m. in the Council Chambers, Franklin City Hall. Salute to the Flag was led by Councilor Giunta.

In Attendance

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

Mayor Merrifield recognized Councilor Desrochers. Councilor Desrochers commented that Monday, May 25th is Memorial and he requested a moment of silence in memory of all the service members that have died and especially the 22 service members per day that die in this country at their own hands due to post traumatic stress disorder. He also mentioned a 21 year old young man that he had taught at Winnisquam High School who died April 3, 2015.

Public Hearings

Resolution #09-15 – This Resolution allows \$4,397 of Bessie Rowell Community Center capital reserve funds to be appropriated for flooring replacement of three rooms in the Bessie Rowell Community Center. Mayor Merrifield opened the public hearing, no one came forth to speak; the public hearing was closed.

Ordinance #10-15 – This Ordinance represents amendments to Chapter 160 Fees, Chapter 245 Sewer and Chapter 289 Water of the City's Municipal Code. Mayor Merrifield opened the public hearing, no one came forth to speak; the public hearing was closed.

Ordinance #11-15 - This ordinance relates to amendments to Chapter 284, Vehicles and Traffic of the Municipal Code. Mayor Merrifield opened the public hearing. One of the items in this ordinance makes Rowell Drive a two-way street and it had been a one way street. Resident Leigh Webb inquired if Rowell Drive

has ever been a two way street. Councilor Clarenbach commented as far back as he could remember it has been a one way. Director Sullivan advised there are two 12 foot lanes which are sufficient for two way traffic. And, he also stated Rowell Drive will take priority during snow season for plowing. No one else came forth to speak; the Mayor closed the public hearing.

Ordinance #13-15 – this ordinance concerns proposed amendments to Chapter 262, Streets and Sidewalks and Chapter 284, Vehicles and Traffic of the City’s Municipal Code. Mayor Merrifield opened the public hearing, no one came forth to speak; the public hearing was closed.

Ordinance #15-15 – This ordinance makes changes to Chapter 166-8, Code of Appeal of the Municipal Code. Mayor Merrifield opened the public hearing, no one came forth to speak; the public hearing was closed.

Resolution #11-15 – This resolution concerns acceptance of grant funds and expenditure of funds for the replacement of the Haynes Brook Culvert located on Central Street. Mayor Merrifield opened the public hearing, no one came forth to speak; Mayor Merrifield closed the public hearing.

Resolution #12-15 – This resolution concerns a supplemental appropriation in the amount of \$765,000 for the renovation of the Cross Street Water Tank and the relocation of the water main on Route 3. Mayor Merrifield opened the public hearing, no one came forth to speak; the Mayor closed the public hearing.

Comments from the Public

Mr. Dan Fife, Daniel Webster Farm addressed the Mayor and Council concerning the Agricultural Lease Agreement, which will be considered for renewal later in the agenda. He cited how for year his family has cultivated this City owned acreage and has raised food source for almost 500 dairy cows. He requested that the City Council invests in their farmers and to continue to work with the farmers in the community.

City Council Meeting
May 4, 2015
Page 3

Mrs. Christine Dzujna representing the Franklin Animal Shelter announced they will be holding their second annual 5K Run/Walk Sunday, May 24th beginning at the Paul Smith School at 10:00 AM. Registration is \$15 through May 15 and \$30 thereafter.

Resident Ms. LeGary commented she supports making Rowell Drive a two-way street.

Mrs. Tam Feener advised that once again the power went off on Evergreen. There have been two recent times, March 27, 2015 and April 9, 2015.

Resident Bill Grimm advised that he has concerns in the process of hiring a new Superintendent and hopes that whoever is ultimately chosen will be good for the education of our students.

Legislative Comments

None

City Council Acknowledgements

None

Mayor's Update

Mayor Merrifield invited everyone to a breakfast Wednesday, May 20th 8:00 AM to 9:30 AM to hear the President of Eversource speak.

Approval of Minutes

Motion made by Councilor Dzujna that the Franklin City Council approves the April 6, 2015 City Council minutes; motion seconded by Councilor Feener.

Councilor Dzujna advised that on Page 13 it should state Clear Water Kayaks will be teaching classes at the beach.

Minutes approved, as corrected.

School Board Report

Mayor Merrifield announced that Mr. Ed Cogan has resigned from the School Board, Ward II. He advised we currently have an applicant for that position.

Motion nominating Scott Burns made by Councilor Feener to fill the vacancy. Term of service to 2016; motion seconded by Councilor Desrochers. All in favor, motion passes.

School Board Chair Tam Feener gave the school board report. A copy of her report is attached to these minutes.

Resolution #09-15

Motion made by Councilor Feener that the Franklin City Council transfers \$4,397.00 of the Bessie Rowell Community Center Capital Reserve Fund to the Bessie Rowell Community Center's Building Repairs and Maintenance account to pay for the flooring replacement by a roll call vote. Motion seconded by Councilor Desrochers.

Roll Call:

| | | | |
|----------------------|-----|------------------------|-----|
| Councilor Barton | Yes | Councilor Feener | Yes |
| Councilor Boyd | Yes | Councilor Giunta | Yes |
| Councilor Clarenbach | Yes | Councilor Starkweather | Yes |
| Councilor Desrochers | Yes | Councilor Wells | Yes |
| Councilor Dzujna | Yes | | |

Resolution #09-15 is approved by a unanimous vote.

Ordinance #10-15

Motion was made by Councilor Desrochers that the Franklin City Council approves Ordinance #10-15 concerning amendments to Chapter 160 Fees, Chapter 245 Sewer and Chapter 289 Water of the Franklin City Code. Motion seconded by Councilor Feener.

Roll Call:

| | | | |
|----------------------|-----|------------------------|-----|
| Councilor Barton | Yes | Councilor Feener | Yes |
| Councilor Boyd | Yes | Councilor Giunta | Yes |
| Councilor Clarenbach | Yes | Councilor Starkweather | Yes |
| Councilor Desrochers | Yes | Councilor Wells | Yes |
| Councilor Dzujna | Yes | | |

All in favor; Ordinance #10-15 passes.

Ordinance #11-15

Motion made by Councilor Feener that the Franklin City Council approves Ordinance #11-15 concerning amendments to Chapter 284, Vehicles and Traffic of the Municipal Code by a roll call vote. Motion seconded by Councilor Desrochers.

Roll Call:

| | | | |
|----------------------|-----|------------------------|-----|
| Councilor Barton | Yes | Councilor Feener | Yes |
| Councilor Boyd | Yes | Councilor Giunta | Yes |
| Councilor Clarenbach | Yes | Councilor Starkweather | Yes |
| Councilor Desrochers | Yes | Councilor Wells | Yes |
| Councilor Dzujna | Yes | | |

All in favor; Ordinance #11-15 passes.

Ordinance #13-15

Motion made by Councilor Dzujna that the Franklin City Council adopts Ordinance #13-15 by a roll call vote. Motion seconded by Councilor Giunta.

Councilor Clarenbach inquired as to why “nor shall any person permit runoff from ice and snow accumulations upon his or her property to drain into any public way in such a fashion as to create a hazardous condition”. It was explained that the Legislative Committee felt that many properties in Franklin are built on higher ground level and they don’t have control over the melting/drainage issue. Councilor Clarenbach stated he can understand that but removing this gives an opportunity to those that could prevent this drainage into public ways.

Councilor Giunta offered the following amendment –“nor shall any person intentionally cause runoff from ice and snow accumulations upon his or her property to drain into any public way in such a fashion as to create a hazardous condition.” Amendment seconded by Councilor Clarenbach. All in favor; amendment to the motion passes.

Councilor Barton offered the following amendment – “After 5 offenses, the automobile is to be towed ADD” at the owner’s expense.” Amendment seconded by Councilor Giunta. All in favor, amendment to the motion passes.

Roll Call on motion to adopt Ordinance #13-15 as amended:

| | | | |
|----------------------|-----|------------------------|-----|
| Councilor Barton | Yes | Councilor Feener | Yes |
| Councilor Boyd | Yes | Councilor Giunta | Yes |
| Councilor Clarenbach | Yes | Councilor Starkweather | Yes |
| Councilor Desrochers | Yes | Councilor Wells | Yes |
| Councilor Dzujna | Yes | | |

All in favor; Ordinance #13-15 passes.

Ordinance #15-15

Motion made by Councilor Desrochers that the Franklin City Council approves Ordinance #15-15 concerning changes to Chapter 166-8 Code of Appeal by a roll call vote. Motion seconded by Councilor Starkweather.

Amendment made by Councilor Clarenbach under Membership of Board, where it states a minimum of three, change that to a minimum of four and under Alternate Members where it states the City Council may appoint two or more alternate members, strike or to have it state the City Council may appoint two alternate members. Amendment seconded by Councilor Boyd. All in favor, amendment passes.

Roll Call on Ordinance #15-15 as amended:

| | | | |
|-----------------------------|------------|-------------------------------|------------|
| Councilor Barton | Yes | Councilor Feener | Yes |
| Councilor Boyd | Yes | Councilor Giunta | Yes |
| Councilor Clarenbach | Yes | Councilor Starkweather | Yes |
| Councilor Desrochers | Yes | Councilor Wells | Yes |
| Councilor Dzujna | Yes | | |

All in favor; Ordinance #15-15 passes.

Resolution #11-15

Motion made by Councilor Feener that the Franklin City Council approves Resolution #11-15 for the acceptance of new revenues from a Federal Emergency Management Agency grant, and the City's Municipal Transportation Fund, and to expend the new revenues, not to exceed \$383,375.00 for a project to replace the Haynes Brook Culvert on Central Street. Motion seconded by Councilor Desrochers.

Roll Call

| | | | |
|-----------------------------|------------|-------------------------------|------------|
| Councilor Barton | Yes | Councilor Feener | Yes |
| Councilor Boyd | Yes | Councilor Giunta | Yes |
| Councilor Clarenbach | Yes | Councilor Starkweather | Yes |
| Councilor Desrochers | Yes | Councilor Wells | Yes |
| Councilor Dzujna | Yes | | |

All in favor, Resolution #11-15 passes.

Resolution #12-15

Motion made by Councilor Desrochers that the Franklin City Council adopts Resolution #12-15 by a roll call vote; motion seconded by Councilor Boyd.

Roll Call:

| | | | |
|-----------------------------|------------|-------------------------------|------------|
| Councilor Barton | Yes | Councilor Feener | Yes |
| Councilor Boyd | Yes | Councilor Giunta | Yes |
| Councilor Clarenbach | Yes | Councilor Starkweather | Yes |
| Councilor Desrochers | Yes | Councilor Wells | Yes |
| Councilor Dzujna | Yes | | |

All in favor, Resolution #12-15 passes.

Disposition of Surplus City Equipment at White Farm Auction

Motion made by Councilor Feener that the Franklin City Council authorize the Municipal Services Director to see, for the best possible price, a 2004 Ford Crown Victoria; a 1999 Chevrolet Tahoe and a 2008 Crown Victoria, deemed as surplus equipment, using the State of New Hampshire, Department of Administrative Services White Farm Auction, to be held on May 16, 2015. Motion seconded by Councilor Desrochers. All in favor; motion passes.

Closure of Franklin Fuel Island and related Internal Services Fund

Motion made by Councilor Starkweather that the Franklin City Council authorizes the final steps in the closure of the City of Franklin Fuel Island and the related Internal Service Fund. Motion seconded by Councilor Barton.

There was discussion concerning using funds to pave the rear driveway and side parking lot at the Fire Station and the estimated residual funds from the Fuel Island account of \$500 returning to the General Fund.

Motion made by Councilor Feener to call the question, seconded by Councilor Starkweather. All in favor.

Motion passes: Vote 8 Yes Votes, 1 No Vote

Amendment to Sprint Lease

Motion made by Councilor Feener that the Franklin City Council approves Amendment #1 of the current lease with Independent Wireless One Leases Realty Corporation and authorize the City Manager to sign the amendment. Motion seconded by Councilor Desrochers. All in favor; motion passes.

Open Enrollment Plan for the Franklin School District

Motion made by Councilor Feener that the Franklin City Council schedules a public hearing for Monday, June 1, 2015 at 6:05 p.m. in the Council Chambers, Franklin City Hall concerning an Open Enrollment Plan for the Franklin School District. Motion seconded by Councilor Dzujna. All in favor; motion passes.

Other Business

Committee Reports – Councilor Feener advised that there will be a Joint Finance Committee Meeting Tuesday, May 12, 2015 at 6:00 p.m. in the Council Chambers.

City Manager's Update – Manager Dragon advised the contingency grant line this month consists of \$45 from the Lions Club for Officer K-9 and \$223.03 for Operation Safe Commute. She advised that May 26th is the date for the results of the Franklin for a Lifetime to be presented to the Mayor and Council.

Manager Dragon advised that FBIDC has applied for a \$50,000 grant for the High School for a machine shop. She explained that Youth Government was to begin tomorrow, May 5th; however, there were only 3 students that signed up and only 1 of 3 wanted to be a Councilor. Manager Dragon stated you can't really have Youth Government with only 3 students participating. Councilor Wells wondered if Youth Government could be made a credit course. The Mayor and Council agreed to let the City Manager make the decision as to what to do.

Manager Dragon advised she has completed her budget to present to the Council and it is under the tax cap. She stated there are some very good things that are in the works for the City but at this time it is another difficult year for the budget. She further stated having 52 weeks of payroll this time cost an additional \$110,000 and retirement went up \$35,000.

The following dates were scheduled for Budget Workshops:

Thursday, May 21st
Thursday, June 4th
Tuesday, June 9th
Thursday, June 18th
Monday, June 22nd
Thursday, June 25th

Zoning Board Appointment

***Motion made by Councilor Feener that the Franklin City Council appoints David Testerman to the Franklin Zoning Board, Term of Office to January, 2018.
Motion seconded by Councilor Giunta. All in favor; motion passes.***

Late Items

**Discretionary Preservation Easement/2 Punch Brook Road/Map #103
Lot #006-00**

Motion made by Councilor Feener that the Franklin City Council schedules a public hearing for Monday, June 1, 2015 at 6:06 p.m. in the Council Chambers, Franklin City Hall concerning a Discretionary Preservation Easement for 2 Punch Brook Road. Motion seconded by Councilor Clarenbach. All in favor; motion passes.

Adoption of Tax Deeds

Motion made by Councilor Feener that the Franklin City Council accepts the following parcels:

- 1. Map/Lot 117/131/000 (Land & Building)***
- 2. Map/Lot 077/406/000 (Land Only)***
- 3. Map/Lot 097/036/000 (Land & Building)***
- 4. Map/Lot 091/020/001 (Building Only)***
- 5. Map/Lot 099/033/000 (Land & Building)***

Motion seconded by Councilor Clarenbach.

Amendment to the motion made by Councilor Feener that No. 4, Map/lot 091/020/001 be removed from the list to be adopted. Amendment seconded by Councilor Clarenbach. All in favor; amendment to the motion passes.

All in favor of the motion as amended.

Street Light Energy Project

Motion made by Councilor Feener that the Franklin City Council sets a public hearing for Monday, June 1, 2015 at 6:07 p.m. in the Council Chambers, Franklin City Hall. Motion seconded by Councilor Desrochers. All in favor; motion passes.

Renewal of Agricultural Lease


Motion made by Councilor Feener that the Franklin City Council approves the renewal of the lease agreement with Daniel L. Fife for one year beginning May 4, 2015. The City owned property is 34 acres located off River Street, Tax Map 123, Lot 403-00. Motion seconded by Councilor Desrochers. All in favor; motion passes to renew lease.

Appointment to the School Board, Ward II

Motion made by Council Feener and seconded by Councilor Dzujna that the Franklin City Council appoints Scott Burns to the School Board, Ward II. Term of Service to 2016. All in favor; motion passes.

Motion to adjourn made by Councilor Feener; seconded by Councilor Barton. All in favor, meeting adjourned at 9:00 p.m.

Respectfully submitted,


Sue E. May