

CITY OF FRANKLIN
CITY COUNCIL MEETING
August 31, 2026
6:00 P.M.



CITY COUNCIL MEETING
Monday, August 31, 2026 – 6:00 p.m.

Franklin Elks Lodge

*View Only by Zoom: <https://us02web.zoom.us/j/85092020858>
or by phone: 1-312-626-6799 – Meeting ID# 850 9202 0858*

SALUTE TO THE FLAG

MOMENT OF SILENCE FOR OUR VETERANS

PUBLIC HEARINGS

School Board Clarification C-13 and C-14: The Charter inconsistently refers to the city's school governing body as both "Board of Education" and "School Board." This proposed change would standardize the term as "School Board."

Neutralizing Gender Bias: Multiple Charter sections use gender-specific terms that do not reflect the current and historical composition of city officeholders. This proposed change would replace such language with gender-neutral terms throughout the sections listed.

LEGISLATIVE UPDATE

COMMENTS FROM THE PUBLIC

Persons wishing to address the Council may speak for a maximum of three minutes. No more than thirty minutes will be devoted to public commentary.

CITY COUNCIL ACKNOWLEDGEMENTS

MAYOR'S UPDATE

CITY MANAGER'S UPDATE

SCHOOL BOARD UPDATE

AGENDA ITEMS

Agenda Item I. pg 5

Council to approve the minutes of: August 3, August 11, and August 14, 2026.

Agenda Item II. pg 7

Council To Consider Outing Club MOU - Veterans Memorial Recreation Area

Agenda Item III. pg 13

Council To Consider Appropriation of Fire Equipment Sale Funds (Resolution #05-27)

Agenda Item IV. pg 21

Council To Consider Adoption of the LEOP and COOP Emergency Plans

Agenda Item V. pg 23

Council To Consider FEMA-Mandated Floodplain Ordinance Amendment (Ch. 170)

Agenda Item VI. pg 25

Council To Consider Moving the Parks & Recreation Fee Schedule Out of City Code

Agenda Item VII. pg 43

Council To Consider Electronic Use Policy

Agenda Item VIII. pg 47

Council To Consider Expanding the Definition of Park Assets in City Code (Ch. 309)

Agenda Item IX. pg 51

Council To Consider Public Hearings Revisions (Chapter 31)

Agenda Item X. pg 55

Council To Consider Ordinance Revision Procedure (Chapter 68)

Agenda Item XI. pg 59

Council To Consider Winnepesaukee River Basin Program Transition

Agenda Item XII. pg 63

Council To Consider Scheduling a September Council Workshop

Agenda Item XIII. pg 65

Council To Consider Charter Amendment #1 - School Board Clarification (§§ C-13, C-14)

Agenda Item XIV. pg 69

Council To Consider Charter Amendment #2 - Neutralizing Gender Bias

COMMITTEE REPORTS

Legislative Committee

Muster Committee

City Finance Committee

Parks & Rec Committee

OTHER BUSINESS

1. Mayor & Council Appointments **pg 73**

- Deborah Burley – Moderator Ward 1

2. Late Items

- None

ADJOURNMENT

The City Council of the City of Franklin reserves the right to enter into non-public session when necessary, according to the provisions of RSA 91-A.

This location is accessible to the disabled. Those wishing to attend who are hearing or vision impaired may make their needs known by calling 934-3900 (voice), or through “Relay New Hampshire” 1-800-735-2964 (T.D./TRY).



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

August 31, 2026

From: Brenda Demers, Executive Secretary

Subject: Council to consider approval of the 8/3/2026, 8/11/2026, and 8/14/2026 meeting minutes.

Recommendation:

Approve minutes as presented.

Suggested Motion:

Councilor moves: *"I move to approve the minutes from the August 3, August 11, and August 14, 2026 meetings."*

Mayor calls for a second, discussion, and vote.

Discussion:

Draft Minutes are available online:

- Find them on the website: City of Franklin Website > Minutes & Agenda (green button) > City Council & Mayor (Minutes column) > 2026
 - Or click here: <https://www.franklinnh.gov/node/14/minutes/2026>
-

Alternatives:

Council can also amend or reject minutes.



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

August 25, 2026

From: Tim Morrill, President, Franklin Outing Club

Subject: Memorandum of Understanding with the Franklin Outing Club, Inc. for Operation of the Veterans Memorial Recreation Area

History:

The Franklin Outing Club, Inc. has operated the Veterans Memorial Recreation Area with the City dating back to September 24, 1963, providing year-round public recreation including alpine skiing, snowboarding, mountain biking, hiking, and community events at no or reduced cost to residents. On January 5, 2026, the City Council approved a new Memorandum of Understanding Standard Operating Procedure establishing a standardized process for MOU agreements with the City's partner non-profit organizations. The Club has completed the full intake process under the new SOP, submitting its MOU Proposal Worksheet, proposed agreement, and supporting documentation. City staff has reviewed these materials and prepared the attached Agreement, which formalizes the Club's decades-long operation of the Area under the City's updated standard terms.

At the August 3, 2026 City Council meeting, the council made some recommendations for changes to the MOU document and voted to send the MOU back to the City Manager for revision.

Recommendation:

The Franklin Outing Club recommends that the City Council approve the Memorandum of Understanding and authorize the City Manager to execute the Agreement.

Suggested Motion:

Councilor moves: *"I move that the City Council approve the Memorandum of Understanding between the City of Franklin and the Franklin Outing Club, Inc. for operation of the Veterans Memorial Recreation Area and authorize the City Manager to execute the Agreement."*

Mayor calls for a second, discussion, and vote.

Discussion:

The attached Agreement formalizes a partnership that has served the community since 1963, updated to reflect the standard provisions the City now requires of all MOU partners, including indemnification, independent contractor status, records access, and dispute resolution.

Alternatives:

1. Decline to approve the agreement.
2. Request additional information before acting.

Attachments/Exhibits:

1. Proposed MOU Agreement

Franklin Outing Club

Memorandum of Understanding (MOU) Agreement

Agreement made this ____ day of _____, 2026 by and between the City of Franklin, a municipal corporation of the State of New Hampshire, hereinafter called the “City”, and the Franklin Outing Club, Inc., a 501(c)(3) voluntary, nonprofit corporation organized under the laws of the State of New Hampshire, with the principal place of business in said Franklin, hereinafter referred to as the “Club”.

WHEREAS, since 1963 the Club has operated a ski area on a certain tract of land in said Franklin known as the Veterans Memorial Recreational Area, Hereinafter called the “Area”, and whereas the Club, under the supervision of the Parks and Recreation Department of the City, has constructed and developed facilities for skiing, mountain biking, and other outdoor recreational activities on a portion of the Area, and whereas the Club desires to continue to operate and maintain said facilities and to further develop a portion of the Area for recreational purposes for the use of the public.

NOW, THEREFORE, the City and the Club hereby mutually agree as follows:

1. Purpose/Responsibilities: The Club shall have the right to continue to operate and maintain all facilities, including buildings, ski runs, ski lifts, throughout all seasons and make improvements, as approved by the City of Franklin City Council, for recreational purposes on the Area consisting of approximately fifty (50) acres, which shall include the present ski area and land adjacent thereto, all as outlined on the map, hereto annexed as schedule A,

The City shall maintain all public highways, access roads, and parking areas in said Area.

The Club shall manage and operate the Area as a public winter ski area and summer recreational facility providing year-round outdoor recreational opportunities for the general public.

This Agreement and the Annual Operating Plan shall entitle the Club the right to operate a recreational facility at the Area in partnership with the City of Franklin City Manager’s office. Any non-club events requests to utilize the area can be submitted to the City Manager. Such requests will be coordinated not to interfere with Club activities.

2. Annual Operating Plan: On or before the ____ Day of _____ during each year of the agreement, the club shall submit an Annual Operating Plan to the City Council. This plan shall include a proposed schedule of the days and hours of operation for the ski area, and a description of and schedule for the additional types of recreation activities available to the public. Prior to submission to the City Council, this plan shall be reviewed by the City Parks and Recreation Director and approved by the City Manager.

The Annual Operating plan shall describe the following at a minimum:

- Ski Lift Operations
- Snow Making and Grooming
- Ski Support Services
- Maintenance Procedures
- Emergency Plan
- Marketing & Advertising
- Environmental Management Program
- Signage
- Utilities & Roads
- Implementation of the Master Plan

3. Terms:

A. This Agreement shall be in effect for a twenty-one (21) year period commencing on the date of this agreement. Evaluations from the City and the Club will be completed on the 1st anniversary of this agreement and every fifth year following the first evaluation. If either party fails to complete a required evaluation, the non-defaulting party shall provide written notice of default, and the defaulting party shall have thirty (30) days to cure said default. These evaluations will be presented to the City Council for consideration of agreement continuance.

At any time, upon a majority 2/3 vote by the City Council or in accordance with Club bylaws, this agreement may be terminated. A ninety (90) day written notice must be provided and said notice shall be sent by registered or certified mail by the party giving such notice to the other party.

B. The Club shall have the right to make reasonable charges for the use of the facilities it has developed and further develops and maintains in the Area. The process for establishing charge amounts and when they will be applied shall include the City Manager. Such funds collected will be used only for future improvements to the Area or annual operating costs.

C. The Club shall keep adequate bookkeeping records of all income derived from the use of the facilities at the Area and all expenditures of said income, said records shall be available for audit by a third party accountant and agreed upon by all parties. An annual summary will be provided to the City Council with annual operation plan.

D. The Club shall have the right to operate concession for the sale of food and alcohol on premises, per local and state permitting. The Club shall have the right to keep all funds derived therefrom for its own use.

E. Expenses for utilities and operating cost will be paid by the Club.

F. All additions and improvements made to and on said Area, including the Lodge, shall be do so with proper permission and permits, and then becoming the property of the City. All machinery, equipment, and other property purchased by the Club with its own funds, awarded grant money, or specifically donated to the Club shall be the property of the Club all such items will be inventoried annually and included in the bookkeeping records by the Club.

G. The Club shall not obligate the City, financially or otherwise, to operate said facilities.

4. Insurance: The City shall continue to carry, and keep in force, during the term of this agreement, the policy of liability insurance covering the Area, including the ski lifts, and continue to name the Club as one of the insured parties under this policy. The City and the Club shall each pay fifty percent (50%) of the premiums on said policy. The Club shall carry, and keep in force, during the term of this agreement, the policy for Workman's compensation required by the State of New Hampshire and any policy required as a result of the Club's license to sell alcoholic beverages.

5. Indemnification: The Club agrees to defend, indemnify, and hold harmless the City of Franklin, its officials, employees, and agents from any claims, damages, losses, or expenses (including reasonable attorney's fees) arising out of the Club's activities, operations, volunteers, contractors, negligence, or breach of this Agreement. This obligation to defend and indemnify shall survive the termination or expiration of this Agreement.

6. Dispute Resolution: Any disputes arising under this Agreement shall first be addressed through written notice and a meeting with the City Manager. If unresolved, the parties agree to pursue mediation before initiating litigation.

7. Amendments: Any changes to this Agreement must be submitted in writing and signed by authorized representatives of both the City and the Club.

IN WITNESS THEREOF, the parties hereunto set their hands and seals on the day and year first written above. This agreement is executed in duplicate and either copy may be used as the original.

Mitch Kloewer, City Manager

Tim Morrill, President, Franklin Outing Club

Date

Date



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meetings of August 31st, 2026 and September 28th, 2026

From: Michael Foss, Fire Chief/EMD

Subject: For the Franklin City Council to consider the appropriation of funds received from the sale of surplus fire and EMS equipment.

Recommended Motion for the August 31st, 2026 Meeting of the City Council:

"I move that the Franklin City Council set a public hearing date for 6:00pm, at the September 28th, 2026 meeting of the City Council to adopt Resolution #05-27. Adoption of Resolution #05-27 would allow for the appropriation of \$10,582 received from the sale of surplus fire, rescue, and EMS-related equipment toward the purchase of a replacement fire engine."

Recommended Motion for the September 28th, 2026 Meeting of the City Council:

"I move that the Franklin City Council adopt Resolution #05-27 to appropriate \$10,582 received from the sale of surplus fire, rescue, and EMS-related equipment toward the purchase of a replacement fire engine."

Background:

As a result of a Fire Department inventory review, and the need to create additional storage space on fire apparatus and within the station, the Franklin Fire Department Administration identified an accumulated supply of unused or unnecessary fire, rescue, and EMS-related equipment and supplies.

A list of these items was presented to the Franklin City Council on January 5, 2026. Following that presentation, the City Council voted to authorize the sale of the equipment and supplies that were determined to no longer have operational value or a continued use by the Franklin Fire Department.

As a result of the liquidation of this surplus equipment, the City of Franklin received \$10,582 in revenue. As outlined in the January 5, 2026, Council Agenda Report (C.A.R.), it was the intent that the revenue generated from the sale of these items be utilized to help offset the cost of purchasing a replacement fire engine for the Franklin Fire Department.

Fiscal Impact:

No further fiscal impact will result, as \$10,582 was received from the sale of surplus equipment.

Alternatives:

Do not appropriate the revenue.

Attachments:

1. Authorized sales list provided to and approved by the Council at the January 5th, 2026 City Council Meeting.
2. Resolution 05-27

Item Description	Estimated Revenue
1" COMBI NOZZLE	\$100.00
1.75 COMBI NOZZLE	\$400.00
1.75 COMBI NOZZLE	\$400.00
150' ROPE BAG	\$30.00
150' ROPE BAG	\$30.00
2.5 -> 1.75 Y	\$100.00
2.5 -> 1.75 Y	\$100.00
2.5 -> 1.75 Y	\$100.00
2.5 -> 1.75 Y	\$100.00
2.5 PLAYPIPE	\$400.00
2.5 STACK TIPS	\$100.00
2.5 STACK TIPS	\$75.00
2.5 STACK TIPS	\$75.00
200 Ft Block and Tackel	\$60.00
200 Ft Block and Tackel	\$60.00
200' ROPE BAG	\$30.00
200' ROPE BAG	\$30.00
300 Ft Life Safety Rope	\$40.00
4" STORZ -> 2.5MALE GATE VALVE	\$200.00
4" STORZ -> 2.5MALE GATE VALVE	\$200.00
4" STORZ CAP	\$20.00
4" STORZ CAP	\$20.00
4" STORZ CAP	\$20.00
5" -> 4" STORZ	\$50.00
500 feet ofLife Safety Rope	\$60.00
50FT GARDEN HOSE	\$10.00
50FT GARDEN HOSE	\$10.00
50FT GARDEN HOSE	\$10.00
50FT GARDEN HOSE	\$10.00
50FT GARDEN HOSE	\$10.00
5GAL FUEL TRANSFER TANK	\$5.00
5GAL FUEL TRANSFER TANK plastic	\$20.00
6" -> 2.5 DBF	\$10.00
6" -> 4" DBM	\$10.00
ANCHOR BAG	\$30.00
ANCHOR BAG	\$30.00
Body HARNESS 6 each	\$10.00
BOX STRAINER	\$50.00
CORD REEL	\$10.00
DBF 1.5 NPSH	\$5.00
DBF 1.5 NPSH	\$5.00
DBF 2.5	\$10.00
DBF 2.5	\$10.00
DBM 1.5 NPSH	\$5.00
DBM 1.5 NPSH	\$5.00

DBM 2.5	\$10.00
DEWALT SAWZALL	\$50.00
DRIP TORCH	\$50.00
FH AXE	\$25.00
FH AXE	\$25.00
FH AXE	\$25.00
FOLDING WHEEL CHOCK	\$25.00
FOLDING WHEEL CHOCK	\$25.00
Forestry Bags Pumps	\$35.00
Forestry Bags Pumps	\$35.00
Forestry Bags Pumps	\$35.00
Forestry Bags Pumps	\$35.00
Gas Range	\$400.00
HOE	\$0.00
HONDA EU1000 GENERATOR	\$400.00
Inake Gate Valve	\$100.00
Inake Gate Valve needs gasket	\$75.00
Metal Fuel CAN 1 GAL	\$5.00
Metal Fuel CAN 1 GAL	\$5.00
Metal Fuel CAN 2.5 GAL	\$5.00
Metal Fuel CAN 2.5 GAL	\$5.00
MISC TOOL MOUNTS - lot sale	\$30.00
PH AXE	\$25.00
POLASKI	\$0.00
POLASKI	\$0.00
Rope Helmets	\$10.00
Rope Helmets	\$10.00
Rope Helmets	\$10.00
Rope Helmets	\$10.00
SPADE SHOVEL	\$0.00
SPADE SHOVEL	\$0.00
SPADE SHOVEL	\$0.00
STAIR CHAIR	\$30.00
SYSTEMS BAG	\$60.00
SYSTEMS BAG	\$60.00
WHEEL CHOCK	\$10.00
WHEEL CHOCK	\$10.00
BOX FAN	\$30.00
DECK GUN with gound mount	\$100.00
ENGINE EXTERIOR MIV	\$500.00
HONDA EU1000 GENERATOR	\$400.00
WATER THEIF	\$400.00
POP UP TENT	\$30.00
OFFICE FAN	\$0.00
HD TRUCK RAMP	\$10.00
HD TRUCK RAMP	\$10.00

5" THREAD INSERT	\$25.00
5" THREAD INSERT	\$25.00
5" THREAD INSERT	\$25.00
5" THREAD INSERT	\$25.00
14GAL TRANSFER TANK	\$30.00
14GAL TRANSFER TANK	\$30.00
CLOSET LADDER	\$50.00
Medium Air Condition Room Size	\$50.00
Large Window AC and Cabinet	\$100.00
Tower Climbing Kit - 2	\$20.00
Federal Q - 1 each	\$2,000.00
Skid Unit Forestry	\$3,500.00
The ZLINE 36" Freestanding Range in Stainless Steel (Gas) (RG36) deluxe	\$500.00
	\$12,560.00



CITY OF FRANKLIN, NEW HAMPSHIRE
"The Three Rivers City"

316 Central Street
Franklin, NH 03235

(603) 934-3900
fax: (603) 934-7413

RESOLUTION #05-27

A Resolution Granting Authority to Transfer \$10,582 received from the sale of surplus Fire and EMS equipment.

In the year of our Lord, Two Thousand Twenty-Six,

WHEREAS, the City Council of the City of Franklin, New Hampshire adopted a budget for Fiscal Year 2027 beginning July 1, 2026, and;

WHEREAS, the City Council authorized the "Fire Department Administration to sell and/or scarp" surplus fire, rescue and EMS related equipment at the January 5th, 2026 Franklin City Council Meeting, and;

WHEREAS, it was the intent of the revenue generated to go towards the purchase of a new replacement fire engine, and;

WHEREAS, the Fire Department Administration sold the preapproved surplus items for a total value of \$10,582, now;

THEREFORE, BE IT RESOLVED, that at a regularly scheduled meeting of the City Council on Monday, September 28th, 2026, the City Council of Franklin, New Hampshire does hereby vote to adopt Resolution #05-27 to transfer proceeds in the amount of \$10,582 from the sale of surplus Fire and EMS equipment:

A decrease in Account #01-0-000-40970 transfer to Capital Reserve Fund, Fire Equipment, Ten Thousand Five Hundred Eighty-Two Dollars (\$10,582).

And an increase in Account # 70-0-000-39110 transfer from Gen Fund, Ten Thousand Five Hundred Eighty-Two Dollars (\$10,582)

By a roll call vote.

Roll Call:

Councilor Carrier _____ **Councilor Johnston** _____ **Councilor Forge** _____

Councilor Boyce _____ **Councilor Prive** _____ **Councilor Hoppe** _____

Councilor Hallett-Cook _____ **Councilor Warner** _____ **Councilor Jacobson** _____

Approved: _____
Mayor Morrill

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 _____ is the City Clerk for the City of Franklin, Franklin, New Hampshire.

A true copy, attested: _____
City Clerk

Date: _____



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

City Council Meeting of August 31st, 2026

From: Michael Foss, Fire Chief/EMD

Subject: Working to obtain approval of the proposed Local Emergency Operations Plan (LEOP) and Continuity of Operations Plan (COOP) at the August 31, 2026, Franklin City Council meeting. Council approval is required for the City of Franklin to formally adopt and implement these plans, which will help ensure the City's preparedness, continuity of essential operations, and the safety and well-being of the community.

Recommended Motion for the August 31st, 2026 Meeting of the City Council:

"I move that the Franklin City Council formally adopt the proposed Local Emergency Operations and Continuity of Operation Plans as prepared by Hubbard Consulting LLC."

Mayor calls for a second, discussion and vote.

Background: In March of 2025, the City of Franklin recognized the need to update the City's Local Emergency Operations and Continuity of Operations Plans. The last revision of the L.E.O.P. had taken place in January of 2020. The last revision of the C.O.O.P. took place in September of 2020. These updates took place because of a five-year recommendation that was given by N.H. Homeland Security and Emergency Management (HSEM). Currently, a new update is being recommend by HSEM with a goal of the plan's adoption by the end of August 2026. As recognized by City officials, the goal of these updates is to help with the following items:

- *Plan for the protection of life, property, and critical facilities within the City of Franklin.*
- *To aid local, state, and federal coordination and communication so that these plans can be used as a working document with realistic goals, objectives, and recommendations.*
- *Coordinate amongst departments, including mid-level personnel, to implement the protection and prevention measures set forth.*
- *Work to strengthen continuity of operations and continuity of government in the event of an emergency or system interruption.*

City Staff and leadership met on the following dates with Jane Hubbard of Hubbard Consulting LLC to plan and develop the two proposed plans: April 2nd, 2026, April 8th, 2026, May 7th, 2026, May 14th, 2026, June 4th, 2026, June 11th, 2026 and June 25th 2026. Members of the public were invited to the City Library on May 7th to provide input and feedback on the City's emergency management needs with Fire Chief - Emergency Management Director Foss and Police Chief Poirier. As a result of the aforementioned planning meetings, both the Local Emergency Operations and Continuity of Operations Plan's drafts were developed. City

Emergency Management leadership is now asking for formal adoption by the Franklin City Council.

Fiscal Impact: No foreseen financial impact will result as grant funds were approved from the State of NH Department of Homeland Security and Emergency Management. All matching funds have been made up from the time and services provided by City of Franklin employees (soft match funding).

Alternatives: The alternative is to forego the adoption of the plans, thus compromising local government operation and services in the event of an emergency. Failure to adopt and implement the plans could affect funding and the receipt of future Homeland Security and Emergency Management grants.

Attachments and Exhibits:

- Available on the Fire Department's Emergency Operations Plan page on the City Website: <https://www.franklinnh.gov/fire-department/pages/emergency-plan-documents>
- City of Franklin, Proposed NH Local Emergency Operations Plan Update (Redacted Appendix)
 - o *Mayor and Emergency Management Director Signature section found on page iv*
- City of Franklin, Proposed Continuity of Operations Plan



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

August 31, 2026

From: David Chunn, Planning/Zoning Director

Subject: FEMA-mandated revisions to Ch. 170 Floodplain Management of the Franklin City Ordinance

History:

In December 2025, the Council approved amendments to Ch. 170 (Floodplain Management) and Ch. 402 (Site Plan Review Regulations) of the Franklin City Ordinance, as mandated by FEMA to keep the City in the National Flood Insurance Program (NFIP).

FEMA is now requiring one additional amendment, to Ch. 170-1, Part C, to keep the City in compliance with FEMA regulations and in the NFIP.

Recommendation:

The recommended action is for Council to approve this additional FEMA-mandated amendment to Ch. 170-1, Part C of the Franklin City Ordinance so the City remains in the NFIP.

Suggested Motion:

Councilor moves: "I make a motion to approve the recommended amendments to Chapter 170 Floodplain Management of the Franklin City Ordinance."

Mayor calls for a second, discussion, and vote.

Discussion:

This amendment updates the flood map/study reference date in § 170-1(C) per FEMA's requirement. It carries no direct cost to the City. It is a housekeeping update to remain compliant with the NFIP, not a substantive policy change.

Alternatives:

Do not approve the amendment. The City would be removed from the National Flood Insurance Program, and property owners would lose access to NFIP flood insurance, likely increasing their insurance costs.

Attachments/Exhibits:

1. Comparison of current vs. proposed § 170-1(C) language

Chapter 170 FLOODPLAIN MANAGEMENT
GENERAL REFERENCES

[Amended 12-01-2025]

§ 170-1. Scope; statutory authority.

- A. Certain areas of the City of Franklin, New Hampshire, are subject to periodic flooding, causing serious damages to properties within these areas. Relief is available in the form of flood insurance as authorized by the National Flood Insurance Act of 1968. Therefore, the City of Franklin, New Hampshire, has chosen to become a participating community in the National Flood Insurance Program, and agrees to comply with the requirements of the National Flood Insurance Act of 1968 (P.L. 90-488, as amended) as detailed in this Floodplain Development Ordinance.
- B. This chapter, adopted pursuant to the authority of RSA 674:16, shall be known as the "City of Franklin Floodplain Development Ordinance." The regulations in this chapter shall overlay and supplement the regulations in the City of Franklin Zoning Ordinance' and shall be considered part of the Zoning Ordinance for purposes of administration and appeals under state law. If any provision of this chapter differs or appears to conflict with any provision of the Zoning Ordinance or other ordinance or regulation, the provision imposing the greater restriction or more stringent standard shall be controlling.
- C. The following regulations in this chapter shall apply to all lands designated as special flood hazard areas by the Federal Emergency Management Agency (FEMA) in its Flood Insurance Study for the County of Merrimack, N.H., dated ~~January 23, 2026 or as amended~~, together with the associated Flood Insurance Rate Maps [FIRM] dated ~~April 19, 2010 and January 23, 2026 or as amended~~, which are declared to be a part of this chapter and are hereby incorporated by reference.

Commented [DC1]: "... November 13, 2026 or as amended ..."

Commented [DC2]: "... January 23, 2026 and November 13, 2026, or as amended ..."



CITY OF FRANKLIN COUNCIL AGENDA REPORT

August 3, 2026

From: Sam Jacobson, City Councilor

Subject: Move Parks and Recreation Fee Schedule out of Code

History:

The legislative committee reviewed various aspects of the city code that interacts with the parks and recreation department in consultation with Director Carmichael. Portions of the code reference specific dollar amounts for specific uses of parks and recreation locations. For example Chapter 309-15 C of the code specifies use of the gymnasium will be charged the rate of two custodians.

Historically fees for use have been published as part of the city code. The location of fees in the code makes them more difficult to adjust, though it allows each councilor to weigh in. For example the last changes to the parks and recreation fees were in 2024.

Recommendation:

Amend the following sections to of the City code and City policies.

- Ch.309-15
- Remove section C and replace with “Fees for use will be published annually as part of the budgeting process”
- Ch. 160-1 Fees
- Remove the following:
 - After School Program Fee
 - All sub bullets under Recreation and Parks Department
 - All sub bullets under Rec Program

and replace with “See the Schedule of Fees published by the Parks & Recreation Department annually”

Suggested Motion:

Councilor moves: “I move the Franklin City Council of the city of Franklin remove Chapter 309 section 15C of the City code and replace it with “Fees for use will be published annually as part of the budgeting process” and that the fee schedule for the parks and recreation department and Parks and Recreation department services published as Chapter 160-1 be removed and

replaced with “See the Schedule of Fees published by the Parks & Recreation Department annually”.

Mayor calls for a second, discussion, and vote.

Discussion:

These changes give flexibility to the parks and recreation director to set fees appropriate to the costs of running programs and managing buildings in the parks and recreation department. Oversight is maintained via the parks and recreation subcommittee as well as through the annual budget process. This also makes it more intuitive for users of the department to find the fee schedule.

Attachments/Exhibits:

- 1. Amended Sections of code 309-15C and 160-1*

§ 309-15. Fees.

- A. All recreation programs sponsored by the Parks and Recreation Department shall have free use of the facilities. **[Amended 9-14-1998 by Ord. No. 98-4]**
- B. Any department or agency of the City government shall have free use of the facility.
- C. ~~All other individuals and organizations will be charged for a minimum of one hour each for two custodians whenever the gymnasium is used or a major event is being held. Otherwise no custodial charge will be made. Individuals or organizations who agree to be responsible for general cleanup will not be charged the above fee. **[Amended 9-14-1998 by Ord. No. 98-4]**~~

§ 160-1. Fees charged for service provided by City of Franklin.

All fees for service shall be charged as provided below:

A. Schedule of Fees. **[Last amended 7-15-2024 by Ord. No. 02-25]**

Description of Fee	Fee
Accident reports, per page	\$1
Ambulance ¹	
Basic life support base rate, 25% above Medicare	\$0
Advanced life support I base rate, 25% above Medicare	\$0
Advanced life support II base rate, 25% above Medicare	\$0
Mileage	\$0
Airways	\$0
Cardiac monitoring	\$0
Defibrillation	\$0
IV therapy/drug administration	\$0
Oxygen administration	\$0
Basic life support, bundled, 50% above Medicare	\$619.83
Advanced life support I, bundled, 50% above Medicare ²	\$1,226.70
Advanced life support II, bundled, 50% above Medicare ³	\$1,833.65
Mileage, bundled, 50% above Medicare	\$25/mile ⁴
Specialty care (hospital interfacility transports) ⁵	\$1,740.32
Nontransport treatment/treat and release ⁶	\$350
After-school program fee	\$25/week
Arcade fees	
1 through 10 machines	\$100 per machine
11 through 30 machines	\$50 per additional machine over 10

1. Editor's Note: Effective 7-1-2013.

2. Editor's Note: Effective 7-1-2015.

3. Editor's Note: Effective 7-1-2015.

4. Editor's Note: Effective 7-1-2022.

5. Editor's Note: Effective 7-1-2015.

6. Editor's Note: Effective 7-1-2015.

Description of Fee	Fee
31 machines and over	\$25 per additional machine over 30
Assessment cards ⁷	
Nonproperty owner	\$0
Property owner	\$0
Beach permit, nonproperty owner	\$5 per car, per day
Boat ramp, annual	\$0
Building permits/inspections/certificates	
Building permits	
One- and two-family residential	
New construction/additions	\$0.50 per square foot ⁸
Alterations/remodeling/ accessory structures	
Under \$750 (owner-occupied single-family only)	No fee (See § 305-31A)
Under \$2,500	\$25
\$2,501 to \$5,000	\$50
\$5,001 to \$10,000	\$75
\$10,001 to \$25,000	\$100
Over \$25,000	\$100 plus \$2 per \$1,000
Decks and sheds	\$60
Initial application	\$100 ⁹
Pool, aboveground ¹⁰	\$75
Pool, in-ground ¹¹	\$150
Mechanical permit	\$60
Multifamily/commercial/industrial	
Initial application	\$300 ¹²
New construction/additions	\$0.65 per square foot ¹³

7. Editor's Note: Effective 7-1-2022.

8. Editor's Note: Effective 7-1-2022.

9. Editor's Note: Effective 7-1-2022.

10. Editor's Note: Effective 7-1-2022.

11. Editor's Note: Effective 7-1-2022.

12. Editor's Note: Effective 7-1-2022.

13. Editor's Note: Effective 7-1-2022.

Description of Fee	Fee
Alteration/remodeling/ accessory/structures/decks	\$150 minimum; \$2 per \$1,000 value
NOTE: All fees doubled if work begins prior to the issuance of a building permit.	
Inspections	
Initial inspection fee ¹⁴	\$0
Reinspection fee (if initial inspection cannot be performed or work fails)	\$50 per inspection
Mechanical inspection (gas, electric, etc.)	No charge
Certificates of occupancy/use	\$40 per inspection
Continuing certificates of occupancy	\$40 per inspection
State-mandated inspections	\$50 per inspection
Certificates of approval	\$40 per inspection
Certified mailings (The fee shall be adjusted per any change in the U.S. Postal Service fees, with the City fee being \$0.75 above the USPS rate, rounded to the nearest tenth of a dollar.)	\$6.70
Checklist	\$25, plus \$0.50 per 1,000 names in excess of 2,500
Copies	
CD ¹⁵	\$5
Thumb drive ¹⁶	\$10
First page	\$1
Additional pages	\$0.25
Deed, nonproperty owner	
First page	\$15 ¹⁷
Each additional page	\$2
Deed, property owner	
First page	\$5 ¹⁸
Each additional page	\$1
Demolition permit	

14. Editor's Note: Effective 7-1-2022.

15. Editor's Note: Effective 7-1-2018.

16. Editor's Note: Effective 7-1-2018.

17. Editor's Note: Effective 7-1-2022.

18. Editor's Note: Effective 7-1-2022.

Description of Fee	Fee
Residential	\$50
Multifamily or commercial	\$150
Digging permit, each	\$200 ¹⁹ Dig Safe; penalty regulation for \$500 fine for City (state \$1,000)
Documents on a CD (includes cost of CD)	\$5
Documents on a thumb drive (includes cost of thumb drive)	\$10
Dog license ²⁰	
Altered and puppy under 6 months	\$7.50
Unaltered	\$10
Seniors aged 65 years and older (1 per household)	\$3
Driveway permit	
Penalty for not getting permit	\$50
Duplicate bill ²¹	\$5
Faxes	\$1 per page
Fingerprinting	
Resident	\$10
Nonresident	\$15
Fire alarm	
Bucket truck and person	\$75 plus operator costs per hour
Each alarm	\$275
False alarm fees	
1 to 3	\$0
4+	\$175
Fire alarm listed agent fees ²²	
Initial application	\$50
Annual fee	\$65
Franklin Fire Department on site at master box	\$25
Violation fees	

19. Editor's Note: Effective 7-1-2018.

20. Editor's Note: Effective 7-1-2022.

21. Editor's Note: Effective 7-1-2014.

22. Editor's Note: Effective 7-1-2018.

Description of Fee	Fee
First offense	\$25
Second offense	\$50
After second offense	\$100
Fire fees charged for response	
Ambulance	\$100 per hour
Car	\$15 per hour
Fire engine	\$150 per hour
Forestry/pickup	\$40 per hour
Ladder	\$225 per hour
Personnel	Cost plus benefits (labor rate)
Nuisance fees for illegal fires	\$250
Paramedic intercept	\$350
Rescue fee	\$150
Fire hydrant	\$250/year ²³
Fire permit	\$0 ²⁴
Full property listing	
Paper	\$100
Disk	\$50
Electronic copy, each	\$25
Landlord filing fee, each occurrence ²⁵	\$15
Land use application	
Kennel fees	
Adoption	\$35
First offense	\$10
Second offense	\$20
Third offense	\$25
Fourth offense	\$30
Miscellaneous permit (door-to-door, car wash, entertainment at bar, etc.)	\$10

23. Editor's Note: Effective 7-1-2017.

24. Editor's Note: Effective 7-1-2018.

25. Editor's Note: Effective 7-1-2011.

Description of Fee	Fee
Miscellaneous permit (door-to-door, car wash, entertainment at bar, etc.), not-for-profit	\$0
Mobile home annual permit	
State-mandated inspections - mobile home park annual inspection, initial application fee plus per unit fee	\$250 per park and \$15 per unit ²⁶
Reinspection fee (if initial inspection results in a fail)	\$50 per failed unit ²⁷
Mobile home annual reinspection permit fee (for failed mobile home units)	\$50
Motor vehicle registration by mail	\$1.50
Municipal Transportation Improvement Fund	\$5 for each motor vehicle registration
Name and address list	
Paper	\$25
Disk	\$20
Notary fees ²⁸	
1st signature	\$5
Additional signatures, each	\$2
Ordinance booklets, zoning	\$10 each
Outside detail, police	\$85 per hour ²⁹
Permit parking (Franklin Street Parking Lot)	\$0 ³⁰
Pistol permits	\$10
Police Department false alarm fees:	
1 to 3 (in a calendar year)	\$0
4 or more	\$50 per alarm
Police/fire reports, each	\$10
Police VIN verification ³¹	\$5
Recreation and Parks Department.	
Dances held at the recreation center by nonprofit groups	\$50

26. Editor's Note: Effective 7-1-2024.

27. Editor's Note: Effective 7-1-2024.

28. Editor's Note: Effective 7-1-2023.

29. Editor's Note: Effective 7-1-2023.

30. Editor's Note: Effective 7-1-2018.

31. Editor's Note: Effective 7-1-2018.

Description of Fee	Fee
Rental for recreation center by private citizens or groups	\$50
Nonresident surcharges:	
50% for nonsummer playground programs	
25% for summer playground program (summer camp)	
Rec Program	
Archery: in-house	\$7
Basketball program, per season, all grades	
Resident	\$40
Nonresident	\$55
Traveling teams (5th grade+)	\$25
February vacation tournament	\$40 team entry
Admission	
Adults	\$1 (Franklin family free)
Children under 13	\$0.50
Family Pass, entire tournament	\$5
Flag football: In-house teams	\$15
Field hockey: In-house teams	\$15
Golf lessons, youth	\$20
Home school recreation, per class	\$1
League use of fields, per season	\$300
(adult leagues only) ³²	
Men's league basketball	\$10 per player per season
Odell Park ballpark lights	\$20 per hour
Sidney Holmes Tennis Tournament	
Adults	
Singles (per person)	\$10
Doubles (per person)	\$5
Youth	
Singles (per person)	\$5
Doubles (per person)	\$2.50

32. Editor's Note: Effective 7-1-2011.

Description of Fee	Fee
Soccer: In-house teams	\$15
Summer playground program, 7 weeks ³³	
Resident	\$490, plus cost of trips
Nonresident	\$680, plus cost of trips
Summer playground program: Early dropoff or late pickup ³⁴	
Resident	\$0
Nonresident	\$0
Summer playground program: Both early dropoff and late pickup	
Resident	\$0 ³⁵
Nonresident	\$0 ³⁶
Swim lessons	\$20 per session
Tennis lessons, youth	\$10
Refuse/solid waste	
Contractors; industrial and commercial businesses; stores and apartment complexes	See Subsection B
Commercial hauler disposal charges	See Subsection B
Sewer hookup	\$2,500 ³⁷
Residential, per additional unit	\$500 ³⁸
Commercial, per additional unit	\$750 ³⁹
Sewer disposal charge, per 100 cubic feet	\$10.18 ⁴⁰
Sewer rates	
Quarterly base rate	\$30 ⁴¹

33. Editor's Note: Effective 7-1-2017.

34. Editor's Note: Effective 7-1-2017.

35. Editor's Note: Effective 7-1-2017.

36. Editor's Note: Effective 7-1-2017.

37. Editor's Note: Effective 7-1-2023.

38. Editor's Note: Effective 7-1-2023.

39. Editor's Note: Effective 7-1-2023.

40. Editor's Note: Effective 7-1-2024.

41. Editor's Note: Effective 7-1-2017.

Description of Fee	Fee
Sewer flat rate fee for nonmetered customers. In addition to the base rate charge, flat rate fee charges are as follows. The cubic foot disposal charge will be by the 100-cubic-foot interval. The charge per 100 cubic feet will be the same as that of the metered customer:	
For a single-family home, up to and including 2 bedrooms	2,000 cubic feet per quarter
For each additional bedroom over 2 bedrooms	500 cubic feet per quarter
Sewer late fee ⁴²	\$10
Sign permits (per sign)	
Sign, general	\$0
Downtown/Historic District	\$35
Other areas	
0 to 15 square feet	\$40
16 to 30 square feet	\$65
31 to 45 square feet	\$80
46+ square feet	\$200
Internally lit signs	\$50 additional
Site plan booklets	\$4 each
Storage container permit	\$50 ⁴³
Street listing	
Paper	\$25
Disk	\$5
Subdivision booklets	\$6 each
Tax and genealogy research, each	\$25
Tax Map copy	
11" x 17" ⁴⁴	\$4 per page
8 1/2" x 11" ⁴⁵	\$2 per page
Complete small set	Charge from vendor plus \$50 ⁴⁶

42. Editor's Note: Effective 7-1-2015.

43. Editor's Note: Effective 7-1-2022.

44. Editor's Note: Effective 7-1-2022.

45. Editor's Note: Effective 7-1-2022.

46. Editor's Note: Effective 7-1-2022.

Description of Fee	Fee
Complete large set	Charge from vendor plus \$50 ⁴⁷
Tax receipt duplicate	\$1
Temporary political sign	No fee; no permit
Temporary signs	\$30
Temporary signs, 2 weeks to 2 months	\$30
Zoning verification letters	\$50
Creation of lease agreements	\$350, plus applicable legal fees (if any)
Renewal of annual lease agreements	\$100
Road discontinuance	110% of legal, surveying, abutter notice (\$10/abutter) and Registry of Deed recording
Transfer station:	
Owner-occupied residences	
Asphalt shingles, per ton	\$210 ⁴⁸
Residential construction and demolition materials, per ton	\$210 ⁴⁹
Commercial haulers and all others	
Shingles; construction and demolition materials and asphalt shingles, per ton	\$210 ⁵⁰
Commercial construction and demolition materials, per ton	\$210 ⁵¹
Fluorescent light bulbs, unbroken	\$1 each
Freezers, refrigerators, air conditioners	\$10 each
Other appliances: washer, dryer, stove	\$5 each
Couch	\$10
Sleep sofa	\$20
Chairs	\$5
Mattress (all sizes)	\$10

47. Editor's Note: Effective 7-1-2022.

48. Editor's Note: Effective 7-1-2024.

49. Editor's Note: Effective 7-1-2024.

50. Editor's Note: Effective 7-1-2024.

51. Editor's Note: Effective 7-1-2024.

Description of Fee	Fee
Box spring (all sizes)	\$5
Dehumidifier	\$10 each ⁵²
Tires (no rims) ⁵³	
24" truck tire	\$0
16" to 23"	\$0
Up to 16"	\$0
Up to 19"	\$3.50
Truck and tractor trailer (over 19")	\$20
Bobcat/Skid-Steer/snowmobile treads (no steel)	\$25
Wood/cardboard/aluminum/ metal/furniture	N/C
Transfer station permit	N/C
Fire extinguishers	\$5
Propane tanks ⁵⁴	
Up to and including 20 pounds	\$2.50 each
30 pounds	\$5 each
Over 30 pounds	\$15 each
Computer monitors/tablets ⁵⁵	
13 inches to 15 inches	\$15 each*
16 to 19 inches	\$15 each*
Over 19 inches	\$15 each*
Television sets	
Up to 13 inches	\$10 each*
13 inches to 55 inches	\$20 each*
Large console and big screens	\$45 each*
*Note: There will be an additional charge of \$35 for any computer monitor or television with broken glass/ CRT.	
CPUs, printers, keyboards, wiring, mouse	N/C
VCRs/DVD/CD players	\$5 each

52. Editor's Note: Effective 7-1-2017.

53. Editor's Note: Effective 7-1-2022.

54. Editor's Note: Effective 7-1-2017.

55. Editor's Note: Effective 7-1-2017.

Description of Fee	Fee
Printers	\$15 each
Fax machines and copiers	\$15 each
Microwave ovens, per oven	\$10
Trash barrel fee ⁵⁶	
48 gallons	\$55
96 gallons	\$88
Water	
Water commodity charge (per 100 cubic feet)	\$7.66 ⁵⁷
Water billing rate/quarterly availability charges ⁵⁸	
5/8" meter	\$32.50 ⁵⁹
1" meter	\$60 ⁶⁰
1 1/2" meter	\$120 ⁶¹
2" meter	\$220 ⁶²
3" meter	\$475 ⁶³
Over 3" meter	\$950 ⁶⁴
Water sprinkler system (annual fee per line) ⁶⁵	
Up to 2" line	\$75
Over 2" - 4" line	\$150
Over 4" - 6" line	\$300
Over 6" line	\$500
Water frozen meter replacement cost	
5/8" meter	\$200
1" meter	\$250
1 1/2" meter	\$350
2" meter	\$450

56. Editor's Note: Effective 7-1-2017.

57. Editor's Note: Effective 7-1-2024.

58. Editor's Note: Effective 7-1-2023.

59. Editor's Note: Effective 7-1-2023.

60. Editor's Note: Effective 7-1-2023.

61. Editor's Note: Effective 7-1-2023.

62. Editor's Note: Effective 7-1-2023.

63. Editor's Note: Effective 7-1-2023.

64. Editor's Note: Effective 7-1-2023.

65. Editor's Note: Effective 7-1-2023

Description of Fee	Fee
3" meter	\$550
4" meter	\$1,000
6" meter	\$2,500
Water hookup fee	
5/8" meter	\$2,500
1" meter	\$3,000
1 1/2" meter	\$3,500
2" meter	\$4,500
3" meter	\$5,500
Over 3" meter	\$7,500
Water final meter reading (all final meter readings)	\$40
Water meter test	\$50
Water shutoff/turnon	
After work hours	\$100 ⁶⁶
During work hours	\$40 ⁶⁷
Water late fee ⁶⁸	\$10
Miscellaneous fees and charges:	
Lien certificate, maximum	\$150
Returned check ⁶⁹	\$35, plus cost of certified letter
Cross-connection	\$500
Construction inspection, per hour	\$40
Yard sale	\$0 ⁷⁰
Zoning Board of Adjustment appeal/Planning Board abutters notification fee	\$10 ⁷¹
Application (advertising, review, etc.)	
Subdivision ⁷²	
Subdivision, base fee	\$200

66. Editor's Note: Effective 7-1-2023.

67. Editor's Note: Effective 7-1-2023.

68. Editor's Note: Effective 7-1-2015.

69. Editor's Note: Effective 7-1-2013.

70. Editor's Note: Effective 7-1-2023.

71. Editor's Note: Effective 7-1-2022.

72. Editor's Note: Effective 7-1-2022.

Description of Fee	Fee
Subdivision per lot fee without new street	\$50
Subdivision per lot fee with new street	\$125
Accessory dwelling unit	\$35
Lot line adjustment	\$40
Lot merger/combination	\$50 for 2 lots; \$25 for each additional lot
Condominium conversion	\$100 plus City Attorney fees for review, if applicable
Site plan ⁷³	
Base fee, new commercial, any size; site plan amendment over 5,000 square feet; change of use if Planning Board review is required	\$300
New structures/additions	\$0.10 per square foot up to 5,000 square feet; \$0.05 per square foot for each additional square foot over 5,000
New residential units of 3 or more units	\$50 per unit
Parking/paving	\$0.02 per square foot
Principal outdoor use	\$100 per acre over 0.5 acre
Excavation (per NH RSA 155-E)	\$1,000 plus \$50 per acre
Base fee, industrial	\$200
Up to 10,000 square feet	\$0.05 per square foot
Each additional square foot over 10,000 square feet	\$0.03
Parking/paving	\$0.01 per square foot
Planning Board, general fees ⁷⁴	
Design review/conceptual review	\$100
Special use/conditional use permits, per request	\$25 for first request; \$50 per request after first
Request for extension of approval	\$25 for first request; \$50 per request after first

73. Editor's Note: Effective 7-1-2022.

74. Editor's Note: Effective 7-1-2022.

Description of Fee	Fee
Recording fees	Current rate charged by Merrimack County Registry of Deeds
Request for street acceptance	\$100
Request to build on private/Class VI road	\$175
Zoning Board of Adjustment	\$100

B. Refuse/solid waste. [Added 6-4-2007 by Ord. No. 09-07]

- (1) Contractors; industrial and commercial businesses; stores and apartment complexes that dispose of refuse/solid waste generated within the corporate limits of the City of Franklin and using the transfer station in accordance with solid waste rules in § 257-8B and C of the Franklin City Code will be charged the prevailing per-ton tipping fee, as established by the Concord Regional Solid Waste/Resource Recovery Cooperative, plus a 20% per ton fee. Out-of town contractors and any commercial contracted haulers will be charged an application/user fee of \$100 per year in addition to the prevailing per-ton tipping fee and the administrative fee. Fees will become effective July 1, 2007, and adjust annually, as needed, at the beginning of each calendar year. **[Amended 7-11-2022 by Ord. No. 02-23]**
- (2) Commercial hauler disposal charges. Commercial disposal companies that pick up refuse/solid waste, generated within the corporate limits of the City of Franklin, and dispose of it at the Wheelabrator Company Trash to Energy Facility in Penacook, New Hampshire under the City's gross annual tonnage, will be charged the prevailing per-ton tipping fee as established by the Concord Regional Solid Waste/Resource Recovery Cooperative, plus an administrative fee of \$25 per ton and an application/user fee of \$100 per year. Fees will become effective July 1, 2007, and adjust annually, as needed, at the beginning of each calendar year. **[Amended 7-6-2009 by Ord. No. 01-10; 7-9-2012 by Ord. No. 01-13; 7-6-2020 by Ord. No. 02-21; 7-12-2021 by Ord. No. 02-22]**
- (3) Out-of-town contractors will be charged an annual application/user fee of \$100 per year and any other associated fees for construction and demolition debris generated within the corporate limits of the City of Franklin. Attendants may ask and/or require a permit and/or proof of where said debris is coming from, i.e., contract for work, building permit, etc. Fees will become effective July 1, 2022, and adjust annually, as needed. **[Added 7-11-2022 by Ord. No. 02-23]**



CITY OF FRANKLIN
COUNCIL AGENDA REPORT

August 31, 2026

From: Sam Jacobson, City Councilor

Subject: Electronic Use Policy

History: The draft electronic use policy was brought forward at the August 3 City Council meeting where it was referred to the Legislative Committee for additional work. At the August 20 meeting of the Legislative Committee, we voted to send this back to the council unanimously.

Recommendation:

I recommend that the Franklin City Council adopt this policy.

Suggested Motion:

Councilor moves, “I move the Franklin City Council adopt the attached electronic device use at council and subcommittee meeting policy”

Mayor calls for a second, discussion, and vote.

Discussion:

In the legislative committee we made the following changes;

1. Adding an acceptable use for communicating with family members
2. Adding an acceptable use for recording a meeting
3. Adding an acceptable use for medical devices or in support of medical devices.

We spent some time discussing the enforceability of this policy – fundamentally our records are bound by RSA 91A and our personal electronic devices are bound as well. Unfortunately, RSA 91A does not adequately cover temporary messaging apps (e.g. “Snap chat”) or encrypted messaging apps (e.g. “Signal”). This policy sets the expectation for appropriate use.

Attachments/Exhibits:

1. *Amended Electronic use policy*

PROPOSED POLICY: ELECTRONIC DEVICE USE AT COUNCIL AND SUBCOMMITTEE MEETINGS

1. Purpose

This policy establishes expectations for the use of personal and city-issued electronic devices (cell phones, tablets, laptops, and similar devices) by City Councilors, subcommittee and committee members, and City staff participating in and during public meetings of the Franklin City Council and its subcommittees and committees. It is intended to:

- Preserve the decorum, attention, and public trust that City business requires;
- Recognize that electronic devices are also legitimate, everyday tools for reviewing agenda materials, referencing records, and looking up information relevant to matters under discussion; and
- Put members on clear notice of their obligations under RSA Chapter 91-A, the New Hampshire Right-to-Know Law, when electronic communications occur during a public meeting.

2. Scope

This policy applies to all members of the City Council and all members of City subcommittees, committees, boards, and commissions (“members”) while participating in any meeting subject to RSA Chapter 91-A, whether in person or remote. It applies regardless of whether the device used is City-issued or personally owned.

3. Permitted Use

The following uses of electronic devices during a public meeting are permitted and encouraged where relevant to the business of the meeting:

- Reviewing the agenda, packet materials, minutes, or supporting documents;
- Looking up factual information, ordinances, statutes, maps, budget figures, or other reference material directly relevant to an item under discussion;
- Taking notes;
- Recording a meeting;
- Communicating with family members;
- Operating or monitoring medical devices;
- Communicating with City staff for the limited purpose of obtaining information needed to discuss or act on an agenda item; and
- Participating in the meeting itself, where the meeting is conducted in whole or part electronically.

4. Prohibited Use

The following uses are not permitted during a public meeting while the member is seated as part of the body:

- Sending or receiving personal text messages, social media activity, or communications unrelated to the business of the meeting;
- Any communication, of any kind, that would be inappropriate, disrespectful, or unbecoming of a public official if said aloud in the meeting;
- Communications with other members of the same body, during the meeting, regarding a matter before that body, that are not made openly as part of the public discussion (this both undermines public deliberation and risks violating the spirit of RSA 91-A's prohibition on using sequential or private communications to circumvent public deliberation); and
- Photography, recording, or broadcasting of a nonpublic session, except as expressly authorized.

5. Decorum

- Devices should be silenced prior to the start of the meeting.
- Members should give their full attention to the speaker or matter on the floor; device use should not visibly distract from or interrupt the proceedings.
- The Chair retains authority to address, in the moment, any device use that is disrupting the conduct of the meeting.

6. Notice Regarding RSA 91-A and Public Records

Members should understand the following before using any electronic device, personal or City-issued, during a public meeting:

1. Content and purpose, not the device, determine whether something is a public record. Under RSA 91-A:1-a, III, a "governmental record" includes any information, in any physical or electronic form, created, accepted, or obtained on behalf of a public body in furtherance of its official function. A text message, email, or chat sent or received during a public meeting that relates to City business may constitute a governmental record subject to disclosure upon request, regardless of whether it was sent from a City-issued device or a personal one.
2. Purely personal communications remain personal. A message with no connection to City business, unrelated to any matter before the body, is not transformed into a public record merely because it was sent during a meeting.
3. Personal devices are not a safe harbor. Members should not assume that conducting City business on a personal phone or personal account places that communication beyond the reach of a Right-to-Know request. If a request is made for such records, the individual member may be responsible for searching their own device and producing responsive communications.

4. When in doubt, treat it as public. If a communication touches on City business in any way, members should assume it may later be requested and discoverable, and should conduct themselves accordingly.

7. Enforcement

Repeated or willful disregard of this policy may be addressed by the Chair during the meeting and may be referred to the full body for further action consistent with the Council's rules of procedure and any applicable code of conduct. This policy is one of decorum and notice; it does not itself create new penalties beyond those already available to the body under its existing rules.

8. Acknowledgment

Each member of the City Council and of City subcommittees, committees, boards, and commissions will be provided a copy of this policy upon appointment or election, and annually thereafter, and will acknowledge receipt and understanding in writing.



CITY OF FRANKLIN COUNCIL AGENDA REPORT

August 3, 2026

From: Sam Jacobson, City Councilor

Subject: Expand definition of Park Assets in City Code

History:

The legislative committee reviewed various aspects of the city code that interacts with the parks and recreation department in consultation with Director Carmichael. The parks and recreation department includes more than just Bessie-Rowell Community Center – it includes parks, pavilions, fields, rental equipment, and more. Current Code is specific in identifying the Bessie Rowell Community center, when it likely applies to broader assets managed by the parks and recreation department.

Recommendation:

Amend the following sections to of the City Policies

- Ch.309-1A. Strike Community center and replace with Parks and recreation assets
 - Ch.309-1B. Strike building and replace with asset
 - Ch.309-2 Strike Community center and replace with Parks and recreation assets
 - Ch.309-4 Strike building and replace with asset
 - Ch.309-14 Strike building and replace with asset
 - Ch.309-15 Strike gymnasium and replace with asset
-

Suggested Motion:

Councilor moves: “I move the Franklin City Council of the city of Franklin remove references to community center in Chapter 309 of the city policy and replace it with parks and recreation asset.

Mayor calls for a second, discussion, and vote.

Discussion:

These changes give flexibility to the parks and recreation director to better manage all of the different locations the parks and recreation department is responsible for.

Attachments/Exhibits:

1. Amended Sections of code 309

Chapter 309

COMMUNITY CENTER

§ 309-1.	Eligibility for use.	§ 309-10.	Animals.
§ 309-2.	Written request required.	§ 309-11.	Additional electric wiring or appliances.
§ 309-3.	Responsibility of applicant.	§ 309-12.	Permits; police and fire protection.
§ 309-4.	Alcoholic beverages.	§ 309-13.	Liability for damage; insurance.
§ 309-5.	Building to be maintained in orderly condition.	§ 309-14.	Number of occupants.
§ 309-6.	(Reserved)	§ 309-15.	Fees.
§ 309-7.	Decorations.		
§ 309-8.	Obstructing exits.		
§ 309-9.	Use of candles or open flame.		

[HISTORY: Adopted by the City Council of the City of Franklin 6-6-1977. Amendments noted where applicable.]

§ 309-1. Eligibility for use.

- A. The following organizations, and social, civic, educational, recreational, benevolent, religious or charitable groups sponsored by them, are eligible to use the ~~Community Center~~ in accordance with these regulations and upon approval of the Parks and Recreation Department: **[Amended 9-14-1998 by Ord. No. 98-4]**
- (1) Recreational groups or organizations under the sponsorship or direction of the Parks and Recreation Department.
 - (2) Any department, agency or political subdivision of the City government.
 - (3) Nonprofit organizations, associations or corporations serving the City of Franklin.
 - (4) Commercial, profit-making organizations (other than local organizations) will be allowed the use of the building only if sponsored by a local organization or unless the planned use can be deemed a direct service to the City of Franklin.
 - (5) Other responsible organizations, firms and individuals under the provisions outlined herein.
- B. The priority with regard to the use of the ~~building~~ and resolution of scheduling conflicts shall be handled in the order in which written applications are received and only as such proposed uses do not interfere with the scheduled recreation program.

§ 309-2. Written request required. [Amended 9-14-1998 by Ord. No. 98-4]

Use of the ~~Community Center~~ itself and any equipment or special facility arrangements will be requested by the applicant in writing to the Parks and Recreation Director.

§ 309-3. Responsibility of applicant.

Every applicant who receives permission to use the building or its equipment shall, during the time of such use, be responsible for the preservation of order on the premises and shall similarly be responsible for any damage to the building or its contents.

§ 309-4. Alcoholic beverages.

No alcoholic beverages may be used in the ~~Community Center~~ by any individual or organization unless an appropriate permit is received from the City administration.

§ 309-5. Building to be maintained in orderly condition. [Amended 9-14-1998 by Ord. No. 98-4]

Individuals or organizations using the building shall restore any areas used to orderly condition before leaving, including the safe disposal of ashtray contents, trash disposal, furniture returned to original setup or stored as specified by the Parks and Recreation Director, tableware and kitchen equipment thoroughly washed and put in designated containers, personal property removed or stored in assigned places and windows and doors closed and locked and the lights put out.

§ 309-6. (Reserved)¹**§ 309-7. Decorations.**

Decorations shall be allowed only under the following conditions:

- A. All materials for decorations shall be flame-retardant material approved by the Fire Department.
- B. No decoration shall infringe upon the visibility of any fire-protection equipment or fire exit.
- C. No decoration shall in any way block an exit.
- D. No nails, tacks, staples or tape shall be used upon the building's walls, ceiling or equipment without the consent of the Parks and Recreation Director. [Amended 9-14-1998 by Ord. No. 98-4]
- E. All decorations shall be removed within the time designated by the Parks and Recreation Director. [Amended 9-14-1998 by Ord. No. 98-4]

§ 309-8. Obstructing exits.

The placing of any obstacle so that it may become an obstruction to an exit is forbidden.

§ 309-9. Use of candles or open flame. [Amended 9-14-1998 by Ord. No. 98-4]

The use of candles or any open flame is not permissible without the approval of the Parks and Recreation Director and the Fire Department.

§ 309-10. Animals.

No animal will be permitted in the building unless it is being displayed as a show animal or has a particular part in a program.

1. Editor's Note: Former § 309-6, Smoking in designated areas, was repealed 5-5-2014 by Ord. No. 06-14.

§ 309-11. Additional electric wiring or appliances. [Amended 9-14-1998 by Ord. No. 98-4]

The installation or use of additional electric wiring or the use of electric appliances on any of the building's electrical circuits will be permitted only upon the approval of the Parks and Recreation Director.

§ 309-12. Permits; police and fire protection.

The organization or individual using the building shall be responsible for obtaining the necessary required permits and required police and fire protection.

§ 309-13. Liability for damage; insurance. [Amended 9-14-1998 by Ord. No. 98-4]

Any individual or organization using the facilities will assure the City of Franklin, in writing, that he, she or it shall be responsible for any and all damage to the facility by any person or persons attending the event. Further, such individuals or organizations will assure the City, in writing, that they assume all liability for damages to any person or persons for injuries, loss of property or death. Organizations desiring to use the facility shall carry appropriate insurance in amounts equal to those carried by the City for the use of the building. Upon request, any individual or organization shall furnish the City a certificate of insurance proving coverage for any particular event or program. Responsibility for the loss, breakage and repair of any piece of furniture, equipment or portion of the facility rests solely with the individual or organization. All losses are to be reported to the Parks and Recreation Director.

§ 309-14. Number of occupants.

The number of occupants in any area of the ~~building~~ shall not exceed the limits posted by the Franklin Fire Department for that area.

§ 309-15. Fees.

- A. All recreation programs sponsored by the Parks and Recreation Department shall have free use of the facilities. **[Amended 9-14-1998 by Ord. No. 98-4]**
- B. Any department or agency of the City government shall have free use of the facility.
- C. All other individuals and organizations will be charged for a minimum of one hour each for two custodians whenever the ~~gymnasium~~ is used or a major event is being held. Otherwise no custodial charge will be made. Individuals or organizations who agree to be responsible for general cleanup will not be charged the above fee. **[Amended 9-14-1998 by Ord. No. 98-4]**

**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

August 31, 2026

From: Sam Jacobson, City Councilor**Subject:** Public Hearings revisions (Chapter 31)

History: The City manager proposed these changes at the July 23 Legislative committee. This was discussed and approved to come to the full council by the Legislative Committee on August 20.

Recommendation:

I recommend that the council adopt these changes.

Suggested Motion:

Councilor moves, "I move to accept the revisions to Chapter 31 of the City Code as described in the attachment to this report. "

Mayor calls for a second, discussion, and vote.

Discussion:

These changes accomplish 3 main things.

1. Loosens who can post a public hearing to more than just the city clerk. This makes it easier for other departments with public hearing needs (e.g. planning and zoning) to comply with their statutory requirements.
2. Shortens the lead time needed for posting a public hearing from 10 days to 1 week. This simplifies posting requirements for different needs. Currently public hearings specify 10 days, while others are 1 week.
3. Removed the requirement to post in a local newspaper. This again simplifies the noticing process, and does not preclude the posting in a newspaper. There is a cost associated with posting in a newspaper (~\$300/post) which may only go for one day's paper. Additionally there is not a single newspaper with general circulation in Franklin, expanding cost and reducing notice provided by this provision. In short, a newspaper posting may be effective and desired for some public hearings but not all and therefor can be removed as a mandatory part of hearing procedure.

Attachments/Exhibits:

1. Original (Current) Sections of Chapter 31
2. Amended (Revised) Sections of Chapter 31

CURRENT

Chapter 31 **Hearings, Public**

[HISTORY: Adopted by the City Council of the City of Franklin 5-5-1986 as Title One, Ch. V of the 1986 Code. Amendments noted where applicable.]

§ 31-1 **Purpose.**

§ 31-2 **Notice requirements; exceptions.**

§ 31-1 **Purpose.**

This chapter shall control procedures used by the Franklin City Council or any political subdivision of the City of Franklin for the holding of public hearings, except where such procedures are otherwise established by separate ordinance or statute.

§ 31-2 **Notice requirements; exceptions.**

A.

Notice of all public hearings shall be posted by the City Clerk or secretary of the appropriate political subdivision no less than 10 days prior to the date of said hearing, exclusive of the date of posting and date of hearing. Additionally, said hearing shall be publicized in a newspaper of general circulation within the City of Franklin no less than seven days prior to said hearing.

B.

The above notice requirements may be dispensed with in extraordinary circumstances upon a two-thirds vote of the Council or other body holding said hearing.

CURRENT

REVISED

Chapter 31 **Hearings, Public**

[~~HISTORY: Adopted by the City Council of the City of Franklin 5-5-1986 as Title One, Ch. V of the 1986 Code. Amendments noted where applicable.~~]

§ 31-1 **Purpose.**

§ 31-2 **Notice requirements; exceptions.**

§ 31-1 **Purpose.**

This chapter shall control procedures used by the Franklin City Council or any political subdivision of the City of Franklin for the holding of public hearings, except where such procedures are otherwise established by separate ordinance or ~~statute~~ [state RSA](#).

§ 31-2 **Notice requirements; exceptions.**

A.

Notice of all public hearings [not specified by separate charter section, ordinance, or state RSA](#), shall be posted by the ~~City Clerk or secretary of the~~ appropriate political subdivision no less than [one week](#) ~~10 days~~ prior to the date of said hearing, ~~exclusive of the date of posting and date of hearing. Additionally, said hearing shall be publicized in a newspaper of general circulation within the City of Franklin no less than seven days prior to said hearing.~~

B.

The above notice requirements may be dispensed with in extraordinary circumstances upon a two-thirds vote of the Council or other body holding said hearing.

REVISED



CITY OF FRANKLIN
COUNCIL AGENDA REPORT

August 31, 2026

From: Sam Jacobson, City Councilor

Subject: Ordinance revision procedure (Chapter 68)

History: The City manager proposed these changes at the July 23 Legislative committee. This was discussed and approved to come to the full council by the Legislative Committee on August 20.

Recommendation:

I recommend that the council adopt these changes.

Suggested Motion:

Councilor moves, "I move to accept the revisions to Chapter 68 of the City Code as described in the attachment to this report. "

Mayor calls for a second, discussion, and vote.

Discussion:

This is the portion of the city code that deals with how the city council adopts ordinances and changes. The changes are summarized as follows:

1. New or changed ordinances must come to a city council meeting where they are read in typically read in full.
2. Revisions may be sent to legislative, where they can be reworked at a reasonable schedule. This removes the mandate that legislative recommendations come at the next council meeting.
3. It clarifies that remote councilors can participate in approving ordinances.
4. It clarifies that public hearings are not needed for every ordinance change. Public hearings come with noticing requirements and restrictions on the interactions between the council and the public. It notes another option, a public forum, as another option with fewer restrictions.
5. It removes the need for recording in an ordinance book, creating flexibility for how changes are recorded. This does not change the ability of the City to provide an ordinance book upon request, rather allows for updating in 'eCode360' rather than a physical book.
6. It removes the requirement to publish adopted ordinances in a newspaper.

Attachments/Exhibits:

1. Original Sections of Chapter 68
2. Amended Sections of Chapter 68

CURRENT

Chapter 68 **Ordinances, Adoption of**

[HISTORY: Adopted by the City Council of the City of Franklin 5-5-1986 as Title One, Ch. I of the 1986 Code. Amendments noted where applicable.]

§ 68-1 **Terminology.**

§ 68-2 **Adoption procedure.**

§ 68-3 **Records; publication.**

§ 68-1 **Terminology.**

All bylaws passed by the City Council shall be called ordinances.

§ 68-2 **Adoption procedure.**

A.

All ordinances shall be presented at City Council meetings. An ordinance, when presented, shall be read a first time in its entirety, except for a general revision or by unanimous vote of the Council. An ordinance may be revised or amended after its first reading and may be sent to the Legislative Committee of the City Council for its recommendation, which Committee shall issue its recommendation at the next regular Council meeting. Before its passage the ordinance must be read a second time but may be read by title only.

B.

An ordinance may be passed at the meeting at which it is presented for its first reading if all Council members present and voting approve it for first and final reading unanimously. In such case, no recommendation from the Legislative Committee shall be necessary. Lacking such approval, no ordinance may be passed until the next meeting of the Council after the first reading. An ordinance may be amended after the second reading. Ordinances may be introduced or passed at both regular and special Council meetings.

§ 68-3 **Records; publication.**

A.

All ordinances passed by the City Council shall be recorded without erasure or interlineation in a suitable ordinance book by the City Clerk and published in the appropriate Annual City Report. The City Clerk shall also publish the ordinance in accordance with Chapter 1, General Provisions, Article I, Adoption of Code.

B.

All proposals and adoptions of ordinances of the City Council and such resolutions as the City Council may direct shall be published by title and brief description in one or more newspapers of general circulation in the city, as the City Manager may designate. This section shall not apply to a general revision of any chapter of this Code.^[1]

[1]

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

CURRENT

REVISED

§ 68-2 Adoption procedure.

A.

All new ordinances or ordinance changes shall be presented at City Council meetings. An ordinance, when presented, shall be read in its entirety except when by unanimous vote of the Council this requirement is waived. An ordinance may be revised or amended after its first reading and/or may be sent to the Legislative Committee of the City Council for its recommendation. Legislative which Committee shall issue its recommendation at the next practical Council meeting based on the committee's schedule. Before its passage the ordinance must be read a second time but may be read by title only.

B.

With the exceptions noted in paragraph C, an ordinance may be passed at the meeting at which it is presented for its first reading if all Council members present or participating remotely, approve it for first and final reading unanimously. In such case, no recommendation from the Legislative Committee shall be necessary. Lacking such approval, no ordinance may be passed until the next meeting of the Council. Ordinances may be introduced or passed at both regular and special Council meetings.

C.

Public hearings must be held for Land Use, zoning, and Historic Ordinances in accordance with New Hampshire State law. Public hearings are not required for the passage of standard Ordinances. The City Council should consider public interest and transparency when passing standard ordinances and consider if a public forum, or public hearing is needed.

§ 68-3. Records; publication.

A.

All ordinances passed by the City Council shall be recorded without erasure or interlineation in a suitable recording medium ordinance book by the City Clerk and published in the appropriate Annual City Report. The City Clerk shall also publish the ordinance in accordance with Chapter 1, General Provisions, Article I, Adoption of Code.

B.

~~All proposals and adoptions of ordinances of the City Council and such resolutions as the City Council may direct shall be published by title and brief description in one or more newspapers of general circulation in the city, as the City Manager may designate. This section shall not apply to a general revision of any chapter of this Code.~~^[1]

^[1]

Editor's Note: Amended at time of adoption of Code (see Ch. 1, General Provisions, Art. I).

REVISED



CITY OF FRANKLIN COUNCIL AGENDA REPORT

August 31, 2026

From: Mitchel Kloewer City Manager

Subject: Winnepesaukee River Basin Program Transition

History:

The Winnepesaukee River Basin Program (WRBP) Advisory Board recommends that all the member communities support the transition of ownership and management of the Winnepesaukee River Basin Program from NHDES to a separate regional wastewater authority.

Recommendation:

Request Council support the transition of ownership and management of the Winnepesaukee River Basin Program (WRBP) from NH Department of Environmental Services (NHDES) to a separate regional wastewater authority.

Suggested Motion:

Councilor moves: *"I move that the Franklin City Council support the efforts to transition the Winnepesaukee River Basin Program from the NH Department of Environmental Services to a regional wastewater authority owned and managed by the member communities. Such support will include City Council authorizing Councilmembers, the City Manager and City Staff, support the transition with any of the Franklin State Representatives and Senators, and when it is under consideration by the Study Commission, the Legislature and the Governor."*

Mayor calls for a second, discussion, and vote.

Discussion:

The WRBP Board worked with NHDES to have the Legislature and Governor approve a bill to create a study commission to evaluate whether the WRBP should continue to be owned and operated by the state or whether ownership and/or operational control should be transferred to an

alternative authority. The Commission must complete its work and provide a report by October 31st.

The Board makes this recommendation based on the following.

The Board's 2025 audit determined that the Program wasted ratepayer dollars. The following are two of the most significant examples

- The Program's solids handling project at the 60% design review was determined to be unconstructible by the Program's consultant in 2023. The Program had spent \$665K when the consultant determined the project was determined to be unconstructible. The State has not resolved the issue with the Consultant reimbursing the Program all or some its fee as of this date.
- Asset management system implementation started in 2016 but was not completed and is mostly not useable. The program has spent \$1.19 million to date and is estimating that they will be spending another \$1 million to complete the setup of the system.

These two issues as well as other issues resulted in a letter of concern to the NHDES Commissioner in November 2025 which led to the January 2026 Member Community meeting with NH DES Commissioner.

Since then

- Management of the program has not improved.
- DES on August 10, 2026 provided an interim correction plan to operate and design/execute projects while it works on resolving problems with the Program's management.
- NHDES supported the effort to have the Legislature approve the formation of the Study Commission on transitioning the Program to a regional wastewater authority.

The Advisory Board at their July 15, 2026 meeting did not support a project to upgrade the Program's SCADA system as the Board did not believe that the Program's management team had the ability to manage this project. Additionally, the contract for the project was \$2.515 million and the WRBP had only programmed \$1.24 million. The WRBP management team did not address how they were going to fund the project within the Program's capital improvement budget at the time they submitted the request to the Advisory Board.

The Advisory Board Chair and Vice Chair met with Commissioner Scott and his senior leadership on July 22, 2026. During the meeting Commissioner Scott stated that he supports the transition of the program to a regional authority for the following reasons.

- NHDES are regulators not operators.
- Recognized that the State personnel system limits their ability to hire and retain employees with the necessary skills to manage and operate the system.

In summary, the Program's plans do not reflect the ratepayers' ability to fund those plans.

- Despite frequent requests by the Advisory Board, the WRBP cannot articulate a financially sustainable plan for operating and maintaining the system. Communities have seen double digit annual increases in WRBP billings since FY22. More of the same is expected in the

coming years. The current level of planning and execution by WRBP management does not reflect the ratepayers' ability to finance the Program.

- The WRBP has not implemented a coherent and cost-effective asset management strategy. Thus, they cannot deliver a comprehensive capital improvements program.
- When they are executing projects, they do not achieve successful outcomes resulting in wasteful spending.

The WRBP Advisory Board and City Staff recommend that the City Council support the effort to transition of the WRBP to a separate regional wastewater authority. The City Manager supports transitioning the WRBP from NHDES to a regional wastewater authority.

Fiscal Impact: Based on an earlier study, the WRBP Advisory Board's analysis is that the transition will slow the growth in costs associated with operating and maintaining the Program's system.

Alternatives:

Wait and see what happens

Attachments/Exhibits:



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

August 31, 2026

From: Mitchel Kloewer City Manager

Subject: September Workshop

History:

The City council has traditionally had a workshop scheduled mid-month if a suitable topic is available and desired for discussion.

Recommendation:

I recommend the Franklin city council schedule a Council workshop for 14 Sept to discuss Meeting types and Robert's Rules as they should be applied to those meetings.

Suggested Motion:

Councilor moves: *"I move the Franklin City Council set 14 September as a City council Workshop to discuss Roberts rules and council meetings."*

Mayor calls for a second, discussion, and vote.

Discussion:

Alternatives:

No Workshop

Attachments/Exhibits:



**CITY OF FRANKLIN
COUNCIL AGENDA REPORT**

August 31, 2026

From: Sam Jacobson, City Councilor

Subject: Proposed Charter Amendment #1 — School Board Clarification (§§ C-13, C-14) — Rescheduled Public Hearing and Council Action

History:

On June 1, 2026, the City Council voted 8 in favor, 1 absent, to set a public hearing on a proposed Charter amendment standardizing the term used for the City's school governing body as "School Board" throughout §§ C-13 and C-14 of the Charter, in place of the currently inconsistent term "Board of Education."

The public hearing was originally noticed for July 20, 2026. Due to scheduling conflicts for the Mayor and City Manager, the Council rescheduled the hearing to August 10, 2026 (see July 7, 2026 minutes). Renewed public notice was issued on July 17, 2026, by newspaper publication and posting on the City's website, setting the hearing for Monday, August 10, 2026, at 6:00 p.m., at the Franklin Public Library.

The Council convened the August 10, 2026 workshop meeting as noticed; however, a quorum of City Councilors was not reached, and the public hearing on this proposed amendment could not be conducted.

At the Council's meeting on August 14, 2026, it was requested that the public hearing on this proposed amendment be rescheduled to the Council's regular meeting on August 31, 2026. This report brings the item back before the Council for that purpose.

Recommendation:

Councilor Jacobson is in favor of this amendment and recommends that the Council hold the public hearing on August 31, 2026, receive public comment, and if the Council remains in favor after hearing that comment vote to move the amendment forward toward placement before Franklin voters, consistent with RSA 49-B.

Suggested Motion:

Councilor moves: *"I move that the Franklin City Council approve proposed Charter Amendment #1, School Board Clarification (§§ C-13, C-14), as presented, and direct that it be prepared for submission to Franklin voters at the next election at which the question may lawfully be placed, in accordance with RSA 49-B."*

Mayor calls for a second, discussion, and vote.

Discussion:

This amendment is a naming-convention correction only: it standardizes “School Board” as the term used throughout §§ C-13 and C-14 and does not alter the composition, powers, duties, or election procedures of that body. The proposed wording was included in the June 1, 2026 Council packet and has not changed since that date. No fiscal impact is anticipated, as the change is textual only.

Next steps if the Council is in favor:

Following the close of the public hearing, if the Council supports the amendment as presented, the recommended next step is a Council vote to approve the amendment for submission to Franklin voters, in accordance with RSA 49-B. Staff (the City Manager and City Clerk) would then confirm the ballot question language, applicable filing deadlines, and the next election at which the question may lawfully be placed, and would confirm with the City Attorney the steps required for state approval following voter ratification, before the amendment takes effect.

Next steps if the Council cannot agree:

If public comment at the August 31, 2026 hearing raises substantive concerns, or the Council is not prepared to act, the Council’s options include: (1) tabling the item and referring it to the Legislative Committee for further review and possible revision; (2) if the Council wishes to revise the proposed wording, re-noticing the amendment for a new public hearing, since RSA 49-B’s 10-day notice and 7-day newspaper-publication requirements attach to the specific wording noticed; or (3) declining to move the amendment forward, in which case it does not proceed to the ballot at this time. Whichever path the Council chooses, the motion and vote should reflect that the Council considered the public hearing testimony, both to guide staff’s next steps and for the completeness of the record.

Alternatives:

- Approve the amendment as presented and direct staff to proceed toward placement on the ballot.
- Approve the amendment with modifications, which would require re-noticing (10-day notice, including 7 days’ newspaper publication) and a new public hearing before further action.
- Table the item and refer it to the Legislative Committee for further review.
- Take no action on the proposed amendment at this time.

Attachments/Exhibits:

- Proposed Charter Amendment Language – School Board Clarification (§§ C-13, C-14)

PROPOSED AMENDMENT — SCHOOL BOARD CLARIFICATION (§§ C-13, C-14)

Explanation: The Charter inconsistently refers to the city's school governing body as both "~~Board of Education~~" and "**School Board**." This amendment standardizes the term as "**School Board**."

§ C-13. ~~Board of Education~~ School Board.

A. The general management and control of public schools, and of the building and property pertaining thereto, shall be vested in a ~~Board of Education~~ **School Board** consisting of nine members... No person shall serve on both the ~~Board of Education~~ **School Board** and the City Council simultaneously...

B. ...no person shall be elected to the Franklin ~~Board of Education~~ **School Board** at large after the regular municipal election of 1990...

§ C-14. Vacancies filled by appointment.

All vacancies on the ~~Board of Education~~ **School Board**, City Council and in all ward offices shall be filled by appointment of the City Council in accordance with § C-11 of this Charter.



CITY OF FRANKLIN COUNCIL AGENDA REPORT

August 31, 2026

From: Sam Jacobson, City Councilor

Subject: Proposed Charter Amendment #2 - Neutralizing Gender Bias (§§ C-3, C-8, C-9, C-10, C-11, C-13, C-15, C-20, C-21, C-23, C-24, C-25, C-28, C-46, C-51, C-53) - Rescheduled Public Hearing and Council Action

History:

On June 1, 2026, the City Council voted 8 in favor, 1 absent, to set a public hearing on a proposed Charter amendment replacing gender-specific terms ("Councilmen," "he," "his," "himself") with gender-neutral terms throughout the sixteen sections listed above. Councilor Jacobson noted at that meeting that, under RSA 49, multiple Charter sections may be amended together when they are germane to the same topic, which is why a single amendment reaches this many sections.

The public hearing was originally noticed for July 20, 2026. Due to scheduling conflicts for the Mayor and City Manager, the Council rescheduled the hearing to August 10, 2026 (see July 7, 2026 minutes). Renewed public notice was issued on July 17, 2026, by newspaper publication and posting on the City's website, setting the hearing for Monday, August 10, 2026, at 6:00 p.m., at the Franklin Public Library.

The Council convened the August 10, 2026 workshop meeting as noticed; however, a quorum of City Councilors was not reached, and the public hearing on this proposed amendment could not be conducted.

At the Council's meeting on August 14, 2026, it was requested that the public hearing on this proposed amendment be rescheduled to the Council's regular meeting on August 31, 2026. This report brings the item back before the Council for that purpose.

Recommendation:

Councilor Jacobson recommends that the Council hold the public hearing on August 31, 2026, receive public comment, and, if the Council remains in favor after hearing comments, vote to move the amendment forward toward placement before Franklin voters, consistent with RSA 49-B.

Suggested Motion:

Councilor moves: *"I move that the Franklin City Council approve proposed Charter Amendment #2, Neutralizing Gender Bias (§§ C-3, C-8, C-9, C-10, C-11, C-13, C-15, C-20, C-21, C-23, C-24, C-25, C-28, C-46, C-51, C-53), as presented, and direct that it be prepared for submission to Franklin voters at the next election at which the question may lawfully be placed, in accordance with RSA 49-B."*

Mayor calls for a second, discussion, and vote.

Discussion:

This amendment replaces gender-specific pronouns and titles (e.g., “Councilmen” to “Councilors,” “he/his/himself” to gender-neutral equivalents) with neutral terms across the sixteen listed sections. It is a language-modernization change; it does not alter the composition, powers, duties, terms of office, or procedures established by those sections. No fiscal impact is anticipated, as the change is textual only. Because the amendment spans many sections, staff and the City Attorney should confirm before the hearing that every cross-reference has been captured consistently, so the final noticed wording is complete.

Next steps if the Council is in favor:

Following the close of the public hearing, if the Council supports the amendment as presented, the recommended next step is a Council vote to approve the amendment for submission to Franklin voters, in accordance with RSA 49-B. Staff (the City Manager and City Clerk) would then confirm the ballot question language, applicable filing deadlines, and the next election at which the question may lawfully be placed, and would confirm with the City Attorney the steps required for state approval following voter ratification, before the amendment takes effect.

Next steps if the Council cannot agree:

If public comment at the August 31, 2026 hearing raises substantive concerns, whether about the amendment as a whole or about specific sections within it, the Council’s options include: (1) tabling the item and referring it to the Legislative Committee for further review and possible revision; (2) if the Council wishes to revise the proposed wording or narrow the sections included, re-noticing the amendment for a new public hearing, since RSA 49-B’s 10-day notice and 7-day newspaper-publication requirements attach to the specific wording noticed; or (3) declining to move the amendment forward, in which case it does not proceed to the ballot at this time. Because this amendment groups sixteen sections together on the basis that they are germane to a single topic, the Council should also consider, with the City Attorney’s input, whether isolated objections to one or two sections warrant severing those sections for separate treatment rather than delaying the amendment as a whole. Whichever path the Council chooses, the motion and vote should reflect that the Council considered the public hearing testimony, both to guide staff’s next steps and for the completeness of the record.

Alternatives:

- Approve the amendment as presented and direct staff to proceed toward placement on the ballot.
- Approve the amendment with modifications, which would require re-noticing (10-day notice, including 7 days’ newspaper publication) and a new public hearing before further action.
- Sever one or more contested sections from the amendment for separate consideration, subject to the City Attorney’s confirmation that doing so is consistent with RSA 49’s germaneness requirement.
- Table the item and refer it to the Legislative Committee for further review.
- Take no action on the proposed amendment at this time.

Attachments/Exhibits:

- Proposed Charter Amendment Language – Neutralizing Gender Bias (§§ C-3, C-8, C-9, C-10, C-11, C-13, C-15, C-20, C-21, C-23, C-24, C-25, C-28, C-46, C-51, C-53)

AMENDMENT 2 — NEUTRALIZING GENDER BIAS (§§ C-3, C-8, C-9, C-10, C-11, C-13, C-15, C-20, C-21, C-23, C-24, C-25, C-28, C-46, C-51, C-53)

Explanation: Multiple Charter sections use gender-specific terms ("~~Councilmen~~," "he," "his," "himself") that do not reflect the current and historical composition of city officeholders. This amendment replaces such language with gender-neutral terms throughout the sections listed.

§ C-3. ...the members whereof shall be called "~~Councilmen~~ **Councilors**."

§ C-8. ...there shall be elected by ballot a ~~Councilman~~ **Councilor** who shall serve for three years.

§ C-9. Each ~~Councilman~~ **Councilor** shall be paid... for each regular monthly meeting... which the **Councilor** he attends... rendered by them ~~him~~ as ~~Councilman~~ **Councilor**.

§ C-10. **The Mayor** He shall preside in the meetings of the City Council... In **the Mayor's** his absence... during **the Mayor's** his absence... expenses made by **the Mayor** ~~him~~ in connection with **the Mayor's** his office...

§ C-11. The Interim Mayor shall retain **their** ~~his/her~~ vote as a **Councilor**... nor shall **they** ~~he/she~~ have the authority to veto...

§ C-13.B. ...no person shall be eligible to be a candidate from a ward unless **they** ~~he~~ shall be a resident in such ward.

§ C-15. ...candidates for the office of Ward ~~Councilman~~ **Councilor**... endorsed on the petition by the candidate **themselves** ~~himself~~... as there are ~~Councilmen~~ **Councilors** to be elected.

§ C-20. The Manager shall be chosen solely on the basis of **their** ~~his/her~~ executive administrative qualifications... to assure **their** ~~his/her~~ ability to respond personally...

§ C-21. ...the Council shall adopt a resolution stating its intention to remove **the Manager** ~~him~~... **the Manager's** his pay shall continue until **the Manager's** his removal.

§ C-23. Said Acting Manager shall be paid such salary for **their** ~~his~~ services hereunder...

§ C-24. **The Manager** He shall be charged with the preservation of the public peace... **The Manager** He shall keep the Council informed... as **the Manager** he may deem advisable... required of **the Manager** ~~him~~ by ordinance... **The Manager** He shall have and perform such other powers... conferred or imposed upon **the Manager** ~~him~~... **The Manager** He shall have the right to take part in the discussion...

§ C-25. ...the identity of any person whom **the Manager** he proposes to appoint...

§ C-28. Each officer shall have supervision and control of **their** ~~his~~ department...

§ C-46. ...certification by the Manager, or such officer as **the Manager** he may direct... If such officer approves payments not in conformity therewith, **that officer** he and **their** ~~his~~ surety shall be liable...

§ C-51. Written notice of election or appointment of any city officer shall be mailed to ~~them him~~
at ~~their his~~ address...

§ C-53. No elective or appointive officer or employee... in which ~~they have he has~~ a financial
interest, aside from ~~their his~~ salary...



CITY OF FRANKLIN COUNCIL AGENDA REPORT

August 31, 2026

From: Michelle Stanyan, City Clerk
Subject: Council to Appoint Ward One Moderator

History:

The Ward 1 Election Moderator position has been vacant after several prior applicants withdrew their applications. Deborah Burley has come forward to volunteer for the position and has submitted an application for Council's consideration.

Recommendation:

I recommend that the Council appoint Deborah Burley as Moderator for Ward 1.

Suggested Motion:

Councilor moves: *"I move the Franklin City Council appoint Deborah Burley to the Ward One Moderation seat."*

Mayor calls for a second, discussion, and vote.

Discussion:

The Ward 1 Moderator position has remained unfilled after prior applicants withdrew before appointment. Ms. Burley has volunteered to serve and her application is attached for Council's review.

Attachments/Exhibits:

1. Prospective Appointee Application - Redacted



CITY OF FRANKLIN, NEW HAMPSHIRE

"The Three Rivers City"

316 Central Street
Franklin NH 03235

Tel: (603) 934-3900
Fax: (603) 934-7413

PROSPECTIVE APPOINTEE PROFILE

Name: Deborah Burley
Address: [REDACTED] Franklin NH 03235
Telephone: [REDACTED] (Home Phone) [REDACTED] (Work Phone) [REDACTED] (Cell Phone) [REDACTED] (email)

You must be a Franklin resident to sit on any board or committee within the City! If at any time you do not reside in Franklin, then you shall submit a letter of resignation for your position.

Franklin Resident: ☒ Yes For how long? 18 years

Employer: Retired
Address: _____
Street Address City State Zip Code

Interested in appointment to: Moderator

Please list below any specific skills, knowledge or experience you believe to be relevant:

I worked in the Winnisquam School System for 28 years. I had to be organized and aware of what was happening around me.

Please state briefly why you are interested in this Board/Committee:

I was asked if I would be interested in this position and I said I was.

Deborah Burley
Signature

8/12/26
Date

Thank you for your willingness to provide us with this information.