



**Legislative Meeting Minutes
December 3, 2019 – 6:00 p.m.
Bessie Rowell Community Center**

Attendees: Councilor Bob Desrochers, Councilor George Dzujna, Councilor Kathy Rago, Councilor Ted Starkweather, Chief David Goldstein, City Manager Judie Milner, Fire Chief Michael Foss, Councilor Desrochers called the meeting to order at 6:03 p.m.

Salute to the Flag was led by Chief Goldstein

Agenda

I. Approval of the minutes of the June 13th Legislative Committee Meeting

Motion – Councilor Rago moved to approve the minutes of the June 13th Legislative Committee Meeting. Councilor Desrochers seconded.

Councilor Desrochers asked if there was any corrections or discussion. There was none.
All in favor. Motion PASSED.

II. Discussion on adding Code Enforcement to Nuisance Properties Ordinance

City Manager Milner stated that this item came from the Fire Committee with the support of Code Enforcement and the EMS team. Milner stated that the Fire Committee discussed fines for residents who have multiple code enforcement issues and where code enforcement needs to discuss the same problem with the homeowner or resident continuously.

Chief Foss agreed and stated that they also discussed adding the fines to the current City ordinance especially when they nuisance EMS calls are repeated at the same location. An example would be in the case of drug overdoses. The difficulty with this is when the violators rent and the homeowner is notified of the repeated issue, it violates HIPPA laws. Foss stated that they discussed if it should be addressed under the property maintenance ordinance. He recommends leaving Code Enforcement out of the Ordinance. Foss explained that the Property Maintenance code was updated this past September and would like to give it a little more time to see if that is doing what it was created to do. He stated that a “three strikes” process began in January. This means there are only three visits with the property owner to measure progress and results. If there is no progress or results, the matter is turned over to the City Prosecutor where it becomes a legal matter where fines may be imposed.

Foss also stated that there has been a positive response to Code Enforcement where some properties are getting cleaned up. He would like to see where this is a year from now and then address any additions to the current ordinance.

Councilor Dzujna stated that he has noticed an increase in more property owners putting pressure on their neighbors to clean up their property. Foss added that the City's Service Request process is helping to address the issues and track them as well.

The committee stated that Steve Reale is doing a nice job speaking to the Choose Franklin group.

Chair Desrochers concluded not to do anything further with this agenda item at this time and readdress in a year.

III. Discussion on Fireworks Ordinance and permitting

City Manager stated that a letter was sent to the Council and there were also numerous complaints filled out on service requests. The residents would like something more done. Suggestions were sent in by residents to impose greater fines and require permits.

Milner stated that she hears them all the time even during the day. The committee agreed that there are people that just ignore the ordinance and light them whenever they want even at 2 a.m. They irritate the veterans, pets, and the wildlife.

Chief Goldstein stated that more people need to call when it is happening and provide an address if possible. Calling after the fact or the next day isn't helpful to the police where they can't act on the complaint after the fact.

Milner stated that the current fine is \$100 and a suggestion was made to increase it to \$250. Chief Goldstein suggested raising the fine for each offense. Foss added that Commercial fireworks require a permit but not if you can buy it in a regular retail store. Permits for commercial fireworks is issued and monitored by the State Fire Marshal.

Dzujna stated that he knows of one person who has a large BBQ and crowd at his home then lights off very big fireworks at 9:30 p.m.

Milner stated another resident suggested only allowing it on weekends only. Desrochers stated that it is just getting dark around 9 p.m. in the summer. Milner replied that maybe the time can be pushed out to end by 11 p.m. and only on the weekends. No weekdays at all.

Rago suggested adding language to address holiday fireworks that would be allowed if on weekdays.

Desrochers stated that many people aren't aware of the Ordinance. Milner stated that

there can be some better communication to let people know an Ordinance exists. Milner suggested putting it in the Newsletter, a News and Announcements email blast to City website subscribers, put flyers in the student's backpacks, and post it on the portable flashing lighted boards.

IV. **Jaywalking Code**

Chief Goldstein stated that he did some researching and Manchester adopted all the state statutes. He stated that most Cities and towns show the lighted words "Walk" or Don't Walk" at an electronic pedestrian crossing. Our electronic pedestrian crossing just show a picture.

Franklin does not currently have a Jaywalking Ordinance and Goldstein asked if this is something that should go before City Council. If this needs to be enforced, an amendment to the statute will be needed.

City Manager Milner stated that this is the time to address this since we are seeing it occur now and when more people begin coming here, something should be in place. She added that the Pollyanna Campaign is something in Littleton NH where there are signs everywhere that show Pollyanna and the words Stop, Look, and Wave. Milner stated that their Pollyanna campaign is working in Littleton.

Councilor Starkweather stated that Tilton painted their crosswalks blue and it looks nice. It's different and catches your attention. Other types of ways crosswalks could be painted were discussed.

Desrochers suggested that the City possibly look at a redesign of the crosswalks. Dzujna stated that they should stand out more and there needs to be more education on using them. Milner added that it's possibly to work it in with the Downtown Marketing Group.

Chief Goldstein stated that any discussions on redesign should include Director Brian Sullivan because there is likely a City Code on what colors can be used and other requirements that he will know about.

V. **Other Business**

Dzujna stated that residents are asking about a yield sign on Chance Pond Road where it should be an actual stop sign instead. There are a couple of others to be looked at as well and it needs to be brought to the Highway Safety Committee. Milner stated that she will add it to the list for them as she had another item to let them know about as well.

Desrochers stated that the current Property Maintenance Ordinance doesn't cover the number of boats and RV's on a property. Fire Chief Foss replied that from a Property Maintenance standpoint, if the boat or RV is dilapidated or unserviceable then it would fall under this. However, if they are in good condition, then it would fall under Planning and

Zoning guidelines. The Committee agreed to look at the current ordinance and where it states that vehicles need to be registered, boats, RV's, and trailers should be viewed in the same manner. Chief Foss can add those additional vehicles with the proper language to the current Ordinance after the words "motor vehicles."

Chief Foss read the current Property Maintenance Code 233-2, section f states that owner occupied detached single family dwelling properties, not more than one currently unlicensed motor vehicle shall be parked, kept, or stored on any premises and no vehicle shall, at any time, be in a state of major disassemble or disrepair or be in the process of being stripped or dismantled.

Starkweather stated that there is a resident on New Hampton Road who has a bunch of cars on his property and claims he is a collector.

Desrochers asked why the word "inspected" isn't part of the ordinance and Foss replied that it was created that current way so that people could have a collectable item on their property.

Milner stated that a public hearing will need to be scheduled in order to update the ordinance.

Desrochers asked if there was any further business to discuss. There was none.

Motion to adjourn was made by Councilor Rago. Seconded by Councilor Desrochers.

Meeting adjourned at 7:04 p.m.

Respectfully submitted,

Audrey Lanzillo