

VERGENNES CITY COUNCIL MEETING  
JULY 23, 2013  
MINUTES

Mayor William Benton called the regular meeting to order at 7 p.m. at the Vergennes Fire Station on Green Street. Those in attendance were:

Mayor William Benton	City Clerk Joan Devine
Senior Alderman Randall Ouellette	City Manager Mel Hawley
Alderman Clara Comeau	Gerianne Smart, FVOH
Alderman Lowell Bertrand	Mike Daniels
Alderman Joe Klopfenstein	Susan Schaeffer
Alderman Renny Perry	Robert Feuerstein
Alderman Lynn Donnelly	Lillian Feuerstein

VTRANS BICYCLE AND PEDESTRIAN PROGRAM APPLICATION: Mayor Benton announced the City's intent to make an application to the VTrans Bicycle and Pedestrian Program for funding to construct a sidewalk and access management improvements from Vergennes Redemption Center to Champlain Discount Foods on the north end of Main Street. A public notice was duly published and posted soliciting comments on the project. City Manager Hawley advised there was a previous application in January for this same project through the VTrans Transportation Alternatives Program but was not selected for an award. He said the primary reason was that they did not feel the \$125,000 estimate for the project would cover the cost; the revised projected cost for the project is \$200,000. The application must be submitted by Friday, he advised. If the City is successful with this application, the 10 percent local share is \$20,000 and recommended that it be allocated from the Water Tower Fund. Alderman Clara Comeau moved to authorize the submission of this application and to authorize up to \$20,000 from the Water Tower Fund as the local share. Senior Alderman Randall Ouellette seconded the motion with all voting in favor.

FRIENDS OF VERGENNES OPERA HOUSE (FVOH): President Gerianne Smart advised their Board of Directors consists of new, returning, and current directors and has fourteen members with a mixed group of strong talents. She advised they are looking for a City Council member to sit on the Board as a non-voting member to act as a liaison between the two parties. Lynn Donnelly has expressed a willingness to serve in that capacity and she would like to recommend her for appointment to that position. Senior Alderman Randall Ouellette moved to make that appointment, seconded by Alderman Lowell Bertrand with all voting in favor.

Manager Hawley advised he has another topic to discuss regarding the Opera House. The sprinkler system project is 99 percent complete but Alpine Sprinklers cannot come back until September to finish the project. Once the project is complete, he advised, FVOH will receive their \$20,000 grant from the Vermont Arts Council and \$32,588 from the National Bank of Middlebury for a tax credit. The City has already spent \$36,982.38 in repairs on FVOH's behalf in the form of a loan so he is recommending giving the Opera House the remaining \$15,605.62 to help get them up on their feet now and when they receive their \$52,588 in October or so they can pay the City back. It was the consensus of the Board to release those additional funds immediately and increase the FVOH's loan to \$52,588 that will be repaid as soon as they get their funds.

KENNEDY BROTHERS, INC.: Robert Feuerstein, President of Kennedy Brothers, Inc., advised he and his wife Lillian bought out the other shareholders of Kennedy Brothers in December 2012. He advised they are doing extensive renovations to the property at 11 Main Street to prepare for a new grocery store, 12,000 sq. ft. of office space and a 3,000 sq. ft. restaurant as well as maintaining the two health clubs. He advised that the abandoned of what was once part of Route 7 has been used as Kennedy Brothers' parking lot for many, many years but that he would like to officially claim that portion of land or acquire a license from the City to

do improvements within the right-of-way. It is his intention to pave that area for parking and to tear down the metal building south of Kennedy Brothers. Manager Hawley advised he is submitting an application for a grant to install sidewalks and make access improvements in that area and doesn't want this design to get ahead of the sidewalk extension engineering project. Another option is to do a license agreement for Kennedy Brothers to do work improvements on the City right-of-way without having to give up the land. Manager Hawley advised he would like the City Council to go look at the site first before making a decision. There is a legal procedure for discontinuance of a public highway. Mr. Freuerstein stated he would be happy with whatever is easier. This topic will be kept on the agenda to allow more time for research.

PUBLIC COMMENT: Michael Daniels encouraged the public to go to Vergennes Falls Park in the evening to see the falls lit up at night. He specifically thanked Vergennes Animal Hospital, Jackman Fuels and Small City Market for their donations towards this project and welcomed the community to also donate towards the cost of lighting this scenic site.

MINUTES: In the last paragraph on the second page, Mayor Daniels was corrected to read Mayor Benton. Alderman Perry moved to approve the minutes as corrected, seconded by Lowell Bertrand, with all voting in favor except Senior Alderman Randall Ouellette who abstained due to absence.

APPOINTMENTS – PLANNING COMMISSION/DEVELOPMENT REVIEW BOARD: Manager Hawley advised five members on the Planning Commission have terms that will be expiring August 1<sup>st</sup> and each of them wishes to continue to serve. Senior Alderman Randall Ouellette moved to reappoint Morgan Kittredge, Timothy Cook, Michael Winslow, Jason Farrell, and Rebecca Duffy with terms expiring August 1, 2015. Alderman Renny Perry seconded the motion with all voting in favor. The Development Review Board also had four members and one alternate member whose terms were expiring August 1<sup>st</sup> and wished to be reappointed. Alderman Renny Perry moved to reappoint Jason Farrell, Brent Rakowski, Steven Rapoport, Don Peabody, and Lowell Bertrand (alternate member) with terms expiring August 1, 2015. Senior Alderman Randall Ouellette seconded the motion with all voting in favor.

COMPREHENSIVE CITY ORDINANCE REVIEW: Mayor Benton advised in the near future he would like the City Council to conduct a comprehensive City Ordinance review. Manager Hawley advised some of the ordinances refer to State Statutes that have been repealed. Alderman Perry also suggested running the ordinances through VLCT for their review prior to re-adoption.

MANAGER'S REPORT: City Manager Hawley advised the Police Bond Sale will be advertised in the August 5<sup>th</sup> issue of the Addison Independent. It is possible the City Council may need to meet a second time in August to deal with this bond, he advised. A trial balance report dated June 30<sup>th</sup> was distributed. He felt we were in good standing for year-end.

As Delinquent Tax Collector he reported delinquent taxes were around \$25,000 last year on August 31<sup>st</sup>. This year our delinquents today are at \$43,000 but we have until August 31<sup>st</sup> to get that number down. For accounts payable, he estimates \$15,000 in bills will come in during July for June purchases or usage. In the new budget, he advised, wage and wage-related adjustments in the amount of \$24,810 have been made.

We now own the property located at 8 Main Street, advised Manager Hawley, the future site for the Vergennes Police Station. Fourteen thousand dollars was put into escrow until a lien on the property is cleared up. He reported he is now getting bids for asbestos testing from the existing building before it can be demolished. The construction permit from the State cost \$6,840. It is hoped the ground breaking will be the day after Labor Day. We also received a Certificate of Public Good for an interconnected group net-metered photovoltaic electric power system (solar panels) to be located at the wastewater treatment plant.

Manager Hawley advised that last month the City bought the one-half undivided interest in the Pollender/Clark lot on MacDonough Drive adjacent to MacDonough Park from Wilfred Pollender. He went

on to report that Eileen Clark, Administrator of the Estate of Gregory Clark, stopped in to discuss with him if the City might be interested in buying the remaining half-interest. This discussion should be held in executive session, he advised. At 8:03 p.m. Alderman Joe Klopfenstein moved to go into an executive session to negotiate a real estate option. That motion was seconded by Senior Alderman Randall Ouellette with all voting in favor. The executive session adjourned at 8:06 p.m. Senior Alderman Randall Ouellette moved to authorize the purchase of the other undivided half-interest in the lot for \$10,000, to come from the Water Tower Fund, from the Gregory Clark Estate. Lowell Bertrand seconded the motion with all voting in favor.

COMMITTEE REPORTS: Joe Klopfenstein reported the Recreation Committee has finished their design for the toddler park adjacent to the City pool. It is estimated that it will cost \$30,000 to build as designed; \$6,000 of it will be materials. He advised it is still in the preliminary stages but wanted to make sure the City Council was still in support of this project. Alderman Renny Perry suggested running a community effort campaign for assistance with the construction that could potentially save half the cost for labor. Mayor Benton encouraged the Committee to continue to work on their project and bring it back in phases to the City Council.

Mayor Benton thanked employees of the Public Works Departemnt for coming in during the night to paint the street lines.

ADJOURNMENT: At 8:22 p.m. Alderman Lowell Bertrand moved to adjourn the meeting, seconded by Senior Alderman Randall Ouellette, with all voting in favor.

Respectfully submitted,

Joan T. Devine  
Vergennes City Clerk