

VERGENNES CITY COUNCIL MEETING
DECEMBER 20, 2011
MINUTES

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

Mayor Michael Daniels	Representative Diane Lanpher
Senior Alderman Randall Ouellette	Representative Gregory Clark
Alderman Clara Comeau	Cheryl Brinkman
Alderman Lowell Bertrand	Mike Ferland
Alderman Peter Garon	Eileen Corcoran, FVOH
Alderman David Austin	Jeff Nelson, FVOH
Alderman Joseph Klopfenstein	Tara Brooks, FVOH
City Manager Mel Hawley	Allison Rimmer, FVOH President
City Clerk Joan Devine	Shannon Haggett, PC Chair

VISITORS: State Representatives Diane Lanpher and Gregory Clark were invited to the meeting in light of the upcoming Legislative session, advised City Manager Hawley. Representative Lanpher reported that Tropical Storm Irene will undoubtedly influence all committee meetings this year. Vermont's response in general to this crisis situation has been outstanding to the point that it has set new guidelines for FEMA. The Waterbury State buildings took a big hit during this storm, she advised, but it was actually nothing compared to the devastation experienced by individual towns; there were 1,400 homes that were impacted by this storm. She advised that 80 percent of VTRANS' workforce were relocated to disaster emergency duty for weeks until all roadways were opened and feels very lucky that Vergennes did not see any damage. As a result of the spring flooding this year there are also tons of applications for education tax abatements on properties that were flooded. We are at a crisis point at the moment, she advised, but it is also an opportunity for future planning. She reported she will be keeping her eye on Green Mountain Care's proposal regarding health care. This spring Addison County Transit Resources (ACTR) and Goodrich Corporation participated in the "Way To Go" challenge as it pertains to public transportation. As a result, ACTR took second place in the State only to be outdone by the City of Burlington. ACTR was recognized nationally by the Federal Transit Administration for Innovative Rural Transit Services. Last year, she advised, ACTR saw an 80 percent increase in the tri-town bus ridership and a 40 percent increase overall.

Representative Greg Clark stated that he was concerned with the declining values of the grand lists in those towns that were hit by Tropical Storm Irene and properties that were flooded out in the spring. He is mostly concerned with how the State is going to deal with it, he advised. He felt the Education Committee will have few options available to them and they will have to increase taxes statewide to absorb the loss all at a time when the economy is in a tough spot already. This will all have a trickledown effect to the local level that will appear with non-payment of taxes. It is going to be very important this year to keep in touch with one another to eliminate any potential negative impacts to our community, he advised. Alderman Joe

Klopfenstein inquired from Representative Clark if he is hearing anything more about school unification. He reported the only thing he has heard on unification is talk of unifying the superintendents' offices. Both Representatives departed at 7:30 p.m.

WARRANTS: The warrant, totaling \$808,193.23 which included the second quarter school payment, was passed for review and signatures of approval from the Board.

FVOH REQUEST: Allison Rimmer, President of Friends of Vergennes Opera House, Inc. advised the Opera House reopened in 1997 after several years of intense restoration by the Friends. Multiple events are held at the Opera House during the year including activities where the space is rented; a sliding scale fee is available for non-profit entities. Beginning in 2008 their revenues began declining due to the economy, she advised, so they are now looking for support from the City. She reported they would like to receive financial support just like the pool, skate park, and library do. They are requesting \$15,000 annually; \$5,000 to go into a fund for building maintenance and \$10,000 to go towards operating expenses. They have had a lot of unexpected expenses associated with the installation of the fire suppression system such as the 3-phase power line they had to install from across the street to the basement to operate the pump. She reported the City's share for this project has gone from \$20,000 to \$27,000 because of all the unexpected charges. Allison advised it has been an extremely frustrating problem for them. There has never been any City budgeted support to them and they prided themselves on their self-sufficiency but in recent years it has not been the case. The decrease in donations from the private sector is not allowing them to make it anymore. The presentation ended at 7:50 p.m.

WARNING/PETITION WAIVER REQUEST: Resident Cheryl Brinkman advised she and Alexandria McGuire, who was unable to attend this meeting, both would like to raise the threshold on the number of signatures required on a petition requesting reconsideration of a vote. The current number of required signatures on a petition for a re-vote in Vergennes is five percent but State law (17 V.S.A. §2661(1)) allows that number to be changed from no less than five percent but no greater than 20 percent by the voters of a municipality. Cheryl advised she feels the number needs to be raised to make it more difficult so that their reasons would need to be stronger than just because a few people do not agree with the outcome of the vote. Because the number of required signatures for a re-vote is only 75 signatures, this is becoming common practice; the increase to 20 percent would require 300 signatures. She felt that number of signatures would at least indicate more people do not agree with the outcome. She would like to see the City Council put this article on the March ballot requesting voters approve the increase from five percent to 20 percent without her having to petition for the article to appear on the ballot.

There was plenty of discussion on whether increasing the threshold on the number of signatures needed on petitions for re-votes was hampering democracy or eliminating frivolous re-votes. Alderman Comeau felt the increase will affect the democratic process and this was censorship in her opinion. Alderman David Austin felt many voters go to the polls misinformed or not informed at all which sometimes dictates a re-vote is necessary. Mayor Daniels felt fine with leaving the percentage at five percent which is where it has always been. Others agreed maybe the percentage should be increased but were having trouble with the 20 percent mark. Alderman Peter Garon moved that the City Council commit to an article on the Warning asking voters to

increase the required number of signatures on a petition for a re-vote from five percent to 10 percent as allowed by law. The motion was seconded by Alderman Klopfenstein. A vote on the motion showed Aldermen Klopfenstein, Bertrand, Garon and Ouellette in favor while Aldermen Comeau and Austin were opposed. Action was completed at 8:25 p.m.

CONFLICT OF INTEREST POLICY: Cheryl Brinkman reported she has been in conversation with Manager Hawley regarding the City Council operating without a Conflict of Interest Policy or a Conflict of Prohibition. She advised the various Boards she sits on all have one or the other and that it tends to offer transparency to the public. She has spoken with the Vermont League of Cities and Towns and they recommend a Conflict of Interest Policy or an Ordinance which can be developed by the Council or petitioned by the voter. Due to time constraints, Alderman Joe Klopfenstein moved to table this item until the next meeting (Jan. 10, 2012), seconded by Alderman Bertrand, with Joe Klopfenstein and Lowell Bertrand voting in favor and Aldermen Ouellette, Comeau, Garon and Austin opposed. The motion failed. City Manager Hawley advised a Conflict of Interest Policy is a good thing for the City Council. We have always had people abstain from votes where there was a conflict of interest so there will be no change in the operation of the Board. Lowell Bertrand moved to have the City Manager bring the Conflict of Interest model policy by VLCT to the Board at the next meeting. The motion was seconded by Senior Alderman Ouellette, with all voting in favor.

WINTER PARKING BAN: Heather Bischoff wrote a letter to the Board requesting an amendment to the winter parking ban. She proposed that vehicles be allowed to park on the City Streets during the hours of 2:00 a.m. until 6:30 a.m. except during times when there is a snow storm in effect. Manager Hawley advised it takes two months to change an ordinance so this is something we can work on in April if people want to change it.

PLANNING COMMISSION UPDATE: Shannon Haggett, the new Chair of the Planning Commission, first of all wanted to recognize all the work Alex McGuire did for the Planning Commission while she was Chair. He advised they have 159 manhours into meetings reconciling the zoning regulations to the City Plan. January 16th should be their final review before the amended City Plan goes to the first public hearing tentatively scheduled for February 20th. Manager Hawley advised the City Council has to have a public hearing no less than 30 days or receipt and must take action within one year or the proposal dies.

Shannon also advised that Zoning Administrator Mel Hawley's term has expired. The Planning Commission, at their last meeting, they nominated Mel to continue as the Zoning Administrator for another 3 years. Mel suggested that the end of his term correspond with the fiscal year. Senior Alderman Randall Ouellette moved to appoint Mel Hawley to the position of Zoning Administrator with a term from August 29 2011 through June 30, 2014. Lowell Bertrand seconded the motion with all voting in favor.

MINUTES: Minutes to the November 15th meeting were approved as written by motion of Lowell Bertrand, Clara Comeau seconding, with all voting I favor.

CITY MANAGER'S REPORT: City Manager Hawley advised Reverend Gary Lewis, of the Congregational Church, reported to him that they will have their annual meeting at the end of

January and will take official action at that time as to their request for the City to take over the care and maintenance of the old cemetery off School Street. He advised he has asked Casella to expand their services the week after Christmas to eliminate traffic congestion experienced last year.

DOG WARRANT: A prepared Warrant for all unregistered dogs in the City was presented to the Board for approval. The Warrant, which listed 7 dogs that are not registered, will allow the Police Department to pick up and impound all unregistered dogs listed. The document was passed for signatures from the Board.

2011 FINANCIAL AUDIT: Manager Hawley advised that the Financial Audit was pretty self explanatory but wanted everyone to review it. Alderman Garon requested that this be place on the agenda of the next meeting.

ADJOURNMENT: At 9:10 p.m. Lowell Bertrand moved to adjourn the regular meeting, seconded by Senior Alderman Randall Ouellette, with all voting in favor.

Respectfully submitted,

Vergennes City Clerk