

VERGENNES CITY COUNCIL  
MARCH 10, 2015  
MINUTES

Mayor William Benton called the regular meeting to order at 6:00 p.m. at the Vergennes Fire Station meeting room located at 50 Green Street. Those in attendance were:

Alderman Mayor William Benton	Bill Funcannon
Alderman Lowell Bertrand	Abigail Diel-Noble
Alderman Jeffrey Fritz	Shannon Haggett
Alderman Renny Perry	Brent Rakowski
Alderman Joe Klopfenstein	Jennifer Johnson
City Manager Mel Hawley	Reporter Andy Kirkaldy
City Clerk Joan Devine	

Mayor Benton welcomed the recently elected Aldermen to the Board. City Clerk Devine advised all the oaths have been taken and are on file in her office. A draft schedule of City Council meetings for the next year was presented. City Council members were asked to check for any potential conflicts with their personal schedule.

WARRANT: The Warrant totaling \$736,605.34 was circulated for review and signatures of approval. The warrant included the 3<sup>rd</sup> quarter education tax installments.

MINUTES: A typo was corrected on page two. Alderman Bertrand moved to approve the minutes of February 17<sup>th</sup>, seconded by Alderman Joe Klopfenstein, with all voting in favor.

ROBERTS RULES OF ORDER: Manager Hawley explained that it is customary to adopt procedures the City Council will follow for their meetings. The City has in the past chosen to adopt Roberts Rules of Order for executive boards and small committees which waives various formalities and allows the Mayor to vote on all motions. Alderman Lowell Bertrand moved to adopt Roberts Rules of Order for executive boards and small committees as discussed, seconded by Alderman Renny Perry, with all voting in favor.

SENIOR ALDERMAN: Mayor Benton advised the City Charter requires the City Council to choose a Senior Alderman who will, in case of the Mayor's absence, resignation or inability, perform the duties of the Mayor. Alderman Joe Klopfenstein nominated Alderman Perry for this position, seconded by Alderman Jeff Fritz, with all voting in favor.

CONFLICT OF INTEREST POLICY: The purpose of the Conflict of Interest Policy presented to the Board for adoption is to ensure that no member of the City Council will gain a personal or financial advantage from his decisions but that decisions will be based on the best interest of the community. The policy requires that it be reviewed by the City Council annually at the first regular meeting in March at which time it may be amended, repealed, or readopted. Senior Alderman Renny Perry moved to adopt as presented, seconded by Alderman Lowell Bertrand, with all voting in favor.

APPOINTMENTS: Manager Hawley read through the list of positions open for appointment, explained what that position was responsible for, and suggested appointees for each. Senior Alderman Perry moved to adopt the slate as presented, seconded by Alderman Bertrand, with all voting in favor. The appointments are as follows:

Delinquent Tax Collector	Mel Hawley
Tree Warden	Mel Hawley
Service Officer	Joan Devine
Bixby Library Trustee Designation	Christine Bradford
ACSWMD Board of Supervisors Member	Cheryl Brinkman
ACSWMD Alternate Member	Mel Hawley
ACRPC Delegates	Mel Hawley and Bill Benton
ACRPC Alternate Delegate	Shannon Haggett

REQUEST TO RESERVE TENNIS COURTS: A request was made by Franz Collas, d/b/a SoJo Tennis, LLC, to reserve the City tennis courts for a 2015 summer tennis camp program. His proposal includes applying for a grant to the USTA for equipment (balls and rackets) for the City of Vergennes. The proposal seeks to reserve the courts for seven weeks, Monday through Friday, from June 22<sup>nd</sup> through August 3<sup>rd</sup>. Manager Hawley advised there was no tennis program last summer but the last time tennis lessons were available, it was done by Lee Shorey through the school district. We have no policy for use of the tennis courts and we now have a request to reserve the courts during a time period that will coincide with swim lessons. Senior Alderman Perry moved to approve the request so discussion can be had. The motion was seconded by Alderman Klopfenstein and followed by discussion. Manager Hawley reported that a certificate of insurance has been provided. Hours of operation would be 9 a.m. until noon, and a sign should be put up advising the public that the courts are not available until after noon during that time period. A vote on the motion showed all to be in favor.

PRE-SCHOOL PLAYGROUND PROJECT: Mayor Benton advised the results of the non-binding advisory referendum held on Town Meeting day regarding whether the City should build a toddler/pre-school park adjacent to the Sam Fishman Pool were 220 in favor and 303 opposed. He reported that Aldermen Donnelly and Daniels were not able to attend this meeting but have submitted emails expressing their position now that the voters have weighed in. Alderman Daniels acknowledged that he sees benefit from such a park but expressed concern with losing the public's confidence if the project moves forward. He also understood the very odd position the City would be in if we were to return the grant funds. His email states that if he was in attendance at this meeting, he would vote against moving forward with the project as that is the word of the majority that voted. Alderman Donnelly advised she has not been solidly behind the proposed park from the beginning because it duplicates some of the facilities already in existence but felt the scaled down version appeared to be a compromise the City Council could live with as well as neighbors who were present at some of the meetings. She went on to say in her email that Article II was poorly worded because it did not make it totally clear to the general public that the vote was purely a referendum vote and a guide to the City Council. She felt the vote was not as close as we had hoped it would be with a difference of 90 votes; in a small community that is a large difference. Her emailed encouraged members of the City Council to listen to the majority of the voters, return the grant money, and put the toddler park to rest. Mayor Benton advised if the park was not to go forward at this point, a motion would need to be made to not continue this project and send the check back to the State. The motion would also need to be supported by at least 4 members in attendance.

Abigail Diel-Noble stated that she supports the park and felt the wording on the ballot was confusing. She felt the wording insinuated that taxes would go up. She advised she would like to see this community resource as there is not a park available during the day except the City Green that is not fenced in. Shannon Haggett felt this was a really good opportunity and worthwhile to move forward

with. He also stated that he was very surprised with the vote results. Jennifer Johnson reported that people told her the scaled down version was nice and they were excited to have it. She also stated that there is not a toddler playground available during the day.

Alderman Bertrand advised the City Council already made their decision to move forward with the scaled down version and he continues to support that. Senior Alderman Renny Perry stated that he feels the same and also feels the wording was misleading. He advised many people do not know what the Water Tower Fund is so the referendum is so misleading. Alderman Fritz announced he agrees with Senior Alderman Perry and not with the will of the people. He advised he has supported this project from the beginning. Alderman Klopfenstein stated he doesn't believe in governing by referendum and reiterated that we have already voted to go forward with the project. Senior Alderman Perry pointed out that future grants would not be likely if we were to return the funds. Mayor Benton stated that he agrees as well regarding returning funds and felt the scaled down version was welcomed. We are trying to bring young families into our community and schools, he advised. No action was taken on this topic.

MANAGER'S REPORT: City Manager Hawley advised the L.F. Benton Company land purchase has been held over until the March 31<sup>st</sup> meeting awaiting a formal appraisal. He noted that delinquent taxes are way down at this point with only nine accounts. Outstanding sewer assessments, on the other hand have continued to increase and those with a substantial balance have been asked to become current by March 31. The Downtown Transportation Fund grant for the sidewalk and improved handicapped access in front of the theatre property on South Maple Street and the other side of the street has been submitted but noted that the criteria has changed. A downtown project must now be listed in the municipal development plan. We do not have a sidewalk replacement plan, he advised. Manager Hawley went on to advise the Development Review Board met last night and approved the pre-school park.

ADJOURNMENT: At 7:10 p.m. Alderman Bertrand moved to adjourn the meeting, seconded by Senior Alderman Renny Perry, with all voting in favor.

Respectfully submitted,

Vergennes City Clerk