

VERGENNES CITY COUNCIL
APRIL 14, 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:

Mayor William Benton	City Manager Mel Hawley
Senior Alderman Renny Perry	City Clerk Joan Devine
Alderman Jeffrey Fritz	David Raphael (6:50 p.m.)
Alderman Lynn Donnelly	Lynnia Pope
Alderman Joe Klopfenstein	Reporter Andy Kirkaldy
Alderman Michael Daniels	Sierra Bertrand
Alderman Lowell Bertrand	

WARRANT: The Warrant totaling \$15,864.34 was circulated for review and signatures of approval.

MINUTES: Alderman Bertrand moved to approve the minutes of March 31, 2015, seconded by Alderman Daniels, with all voting in favor except Senior Alderman Perry who abstained due to being absent at the meeting.

TAXI LICENSE: Nicholas Schieldrop, d/b/a Shelburne Car Service, submitted an application to renew his Taxi License for another year. A copy of his current liability insurance and Vermont Operator's License, along with the \$25.00 fee were submitted to the City Clerk. Senior Alderman Perry moved to approve the application, seconded by Alderman Bertrand, with all voting in favor.

RAY E. DAVISON CAPITAL EQUIPMENT FUND POLICY: Manager Hawley read the positions that are on the Fire Department Capital Equipment Committee to be in compliance with the fund policy. The Committee shall consist of the Chief of the Fire Department, the First Deputy Chief of the Fire Department, the member of the Fire Department charged with the responsibility of maintenance and/or control of Department equipment, a member of the City Council, the City Manager, the City Treasurer, and the Executor of the Estate of Ray E. Davison. The City Council representative has been Randall Ouellette who is no longer an Alderman. Senior Alderman Perry volunteered to fill that position. Alderman Bertrand moved to appoint Senior Alderman Perry to the Committee as the representative of the City Council, seconded by Alderman Daniels, with all voting in favor.

VERGENNES REVOLVING LOAN FUND COMMITTEE: City Manager Hawley advised that the terms for members of the Vergennes Revolving Loan Fund Committee expired in March. Based on the policy, the committee consists of a banker, a City Council member, a Vergennes Partnership member, a Greater Vergennes Chamber of Commerce member, a real estate agent, the City Treasurer, and a citizen at-large. Mayor Benton advised he needs to speak with Christopher LaPierre (banker) and Nancy Larrow (real estate agent) to confirm they are willing to serve in these positions prior to an appointment. Senior Alderman Perry moved to amend the

policy by eliminating the Greater Vergennes Chamber of Commerce member, as they have been dissolved for some time now, to a business or commercial property owner. Alderman Bertrand seconded the motion with all voting in favor. Alderman Lowell Bertrand moved to appoint Lynn Donnelly (City Council designee), Joan Devine (City Treasurer), Scott Gaines (Vergennes Partnership) and Henry Broughton (citizen at-large) to the Vergennes Revolving Loan Fund Committee. Alderman Fritz seconded the motion with all in voting favor.

CITY COUNCIL MEETING CALENDAR: The City Council will be meeting on April 28th at 6:00 p.m. for a public informational hearing followed by a City Council meeting. The informational hearing is to discuss and answer questions regarding the proposed lease amendment with Friends of Vergennes Opera House to include the “ticket booth” in the leased premises. Also, The City Council will have regular meetings on May 12th and May 26th at 6 p.m. at the Fire Station meeting room.

L.F. BENTON COMPANY LAND PURCHASE: City Manager Hawley advised he has not received any additional information from surveyor Tim Cowan so we cannot move forward at this time.

CITY MANAGER’S REPORT: City Manager Hawley reported that Rebecca Rey has resigned from the Planning Commission. They had eight members prior to this resignation so there is no need to appoint a replacement. Although the law allows up to nine members, the City has historically operated with seven members. He gave a detailed report of the status of budgeted revenues and expenses for the various departments for the fiscal year. He briefly discussed his report of Capital Projects Funds and Special Revenue Funds that reflects the July 1, 2015 fund balances after acknowledging revenues and expenses for this fiscal year.

Mayor Benton questioned whether there should be a clause in the Water Tower Fund for expenditures over \$30,000 to \$50,000 that would allow voter participation. Senior Alderman Perry felt the City already has hearings for the public to express comments and have discussion on projects; he did not want to see our form of government watered down. The City Council makes those decisions, he advised. City Manager Hawley explained that the sale of the Watershed Property in Bristol went to the voters for approval with the proceeds used to establish a reserve fund where growth and earned income would be used for recreational purposes as determined by the City Council. Alderman Klopfenstein agreed with Senior Alderman Perry but also thinks the public should have an input in how those funds are spent. Michael Daniels agreed with both but pointed out that we only get a small turnout to respond and suggested maybe a certain percentage needs to be met. Alderman Donnelly agrees the responsibility lies with the City Council and felt if only ten voters show; you need to listen to those ten voters. City Manager Hawley stated he feels the voters are very confused at this point on how our government works as it relates to policies. The City Council can review them, amend them, or reinforce them as they choose.

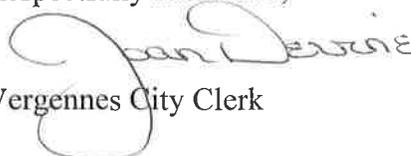
PRE-SCHOOL PLAYGROUND PROJECT: David Raphael, owner of LandWorks, announced he has been in the background watching the progression of this project and feels a need to speak to the City Council. The lawsuit that has been filed in Addison Superior Court by East Street resident John O’Donnell who is seeking a preliminary injunction to prohibit the City from

constructing the pre-school playground is the final delay. He advised the opportunity has passed for him and his students to help with this project they committed to; there is no longer enough time. The atmosphere is no longer positive since the suit has been filed and it is difficult to work in good faith. This is a big loss for the children of the community, he stated. He recommended a pause for the moment and to reconsider it again in the future. The need is not going away and the concept will always be attractive to young families. Senior Alderman Perry inquired how close the plans were to being biddable. Mr. Raphael advised the plans were close but not detailed enough for the boat element. Senior Alderman Perry stated he was very concerned with the consequences of returning the grant funds to the State. Manager Hawley reported Attorney James Ouimette has filed an answer with the court and they will schedule a conference; the City will at some point asked for dismissal of the suit. Senior Alderman Perry questioned if the court confirms that the City Council has clear authority to go forward, would it be possible to ask for another time extension from the State due to the court delay. That would allow us time to get something into the ground, he stated. He reported he has seen communities who have bought kits for playgrounds such as this and community volunteers put them together in a weekend. Lynnia Pope advised she voted against the playground project but would volunteer to build one working together as a community. City Manager Hawley reported the City Council passed a motion in December that scaled down the project to \$42,000; \$21,000 was to be paid by the grant. So far the City has paid LandWorks about \$2,900 for the preliminary design used by the Recreation Committee in preparation of the grant application. Since the award, about \$5,200 of the \$42,000 has been paid to LandWorks in project design and redesigns so we are down to about \$37,000. He advised even with the volunteer work by the UVM students it would be very close and he reminded everyone there is a required certificate of affirmation that must go to the State upon completion of the project. Manager Hawley advised he can ask for another extension if that is what the City Council wants. Mr. Raphael stated we are also about \$2,000 short for drainage. He reassured the City Council that he will not abandon the project if they are able to go forward but the students' window is closing. Alderman Klopfenstein thanked Mr. Raphael for all his pro-bono work, his time and dedication to the project. City Manager Hawley will inquire about another possible extension of time to do the project. He also explained the City Council's authority to use Recreation Facilities Maintenance Reserve Funds; it has \$23,000 available.

COMMENTS: Alderman Daniels reminded everyone that Green-Up Day is May 2nd. There will also be regional fire school training at the high school on April 25th and 26th.

ADJOURNMENT: At 7:45 p.m. Alderman Bertrand moved to adjourn the regular meeting, seconded by Senior Alderman Perry, with all voting in favor.

Respectfully submitted,


Vergennes City Clerk