

VERGENNES CITY COUNCIL MEETING
APRIL 8, 2014
MINUTES

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

Mayor William Benton	Alderman Joe Klopfenstein
Senior Alderman Randall Ouellette	City Manager Mel Hawley
Alderman Renny Perry	City Clerk Joan Devine
Alderman Michael Daniels	Tom Denecker (6:12 p.m.)
Alderman Lowell Bertrand	Mike Capra (6:25 p.m.)
Alderman Lynn Donnelly	Sierra Bertrand

WARRANTS: The warrant totaling \$49,746.32 was available for review and was circulated for signatures of approval.

MINUTES: Minutes to the March 25th meeting were presented for approval. Alderman Lowell Bertrand moved to approve the minutes as presented, seconded by Senior Alderman Randall Ouellette, with all voting in favor.

TRAIN STATION-SEWER AGREEMENT: Manager Hawley presented a draft Sewer Extension Agreement between the City of Vergennes and the State of Vermont regarding the extension of the City's sewer system into the town of Ferrisburgh for the train station that was relocated to the Ferrisburgh Park and Ride. He advised in October of 2000 the City Council authorized an allocation of 2,000 gallons per day for the wastewater permit needed for this project. Unlike the Interim Sewer Extension Agreement with F.I.C., Inc., this use will have no tax benefit to the City. He reported that about \$27,000 had been spent this year to extend the sewer just beyond the police station; the train station will connect to the new manhole just north of the station. The new line to the train station will tie into this manhole which makes the original budget for the sewer extension much cheaper for the State. He would like to see some of those cost savings come back to the City to offset his expense. Manager Hawley advised he would like authorization to send this draft to Wayne Davis at VTrans, even though the one-time connection fee has not been established, so there is plenty of time for them and their legal counsel to review the document. Alderman Lynn Donnelly moved to authorize the City Manager to send the Sewer Extension Agreement as drafted to VTrans. The motion was seconded by Senior Alderman Randall Ouellette. Alderman Mike Daniels suggested a copy be sent to Merle Miller at the Department of Buildings and General Services. The vote on the motion showed all to be in favor.

VISITOR: Tom Denecker of Denecker Chevrolet arrived at the meeting and formally requested consideration of a proposal to extend sewer to property he has under contract in Ferrisburgh. He advised the train station has been moved to Ferrisburgh and the sewer is going to be extended to that site. The parcel of land (31 acres) is contiguous to that site, he advised, where he can build within a 9-acre area but can only utilize 4.5 of the 9 acres. The property is located on Routes 22A and 7 and goes north to the church property. The land around his property is all conserved so he is the end. His proposal to get on the City sewer is beneficial to him, he advised, and he is willing to pay for the capacity so the City will benefit financially. He reported he is selling both of his

properties and putting the entire business at the new location. Alderman Perry advised tax sharing was the hang-up to the sewer extension in the past and while the City voted in favor of an inter-municipal agreement, Ferrisburgh voters turned it down; it will probably be the same. Mr. Denecker advised the Town of Ferrisburgh has told him they will approve any agreement that he can strike with the City. Acquiring Act 250 approval is the next piece of the puzzle for them, he advised, which he expects to be approved by August or September. If he is successful in working out an agreement with the City, he advised, he will just amend his Act 250 permit. He is building to accommodate 30 employees so gallonage needed is 15 gallons per day per employee plus additional gallons for washing cars. Manager Hawley explained an Interim Sewer Extension Agreement was established in 1996 between the City and VPA Limited Partnership. They were the owners of the Ferrisburgh portion of the shopping center off Monkton Road that is serviced by the City's sewer as a result of a prior City Council's actions many years ago. Manager Hawley advised under Acts 60 and 68, tax sharing of education taxes may not work. Mayor Benton asked the Board whether they supported the extension of the sewer on a private basis outside of the City. The consensus showed unanimous approval for various reasons such as the voters approved possible sewer extension to this site in the past, it was not going to hurt anyone to do so and other communities do this. Manager Hawley advised an engineering feasibility study needs to be done before any action is taken. Mr. Denecker thanked the City Council for considering his request.

VERGENNES BURYING GROUND FENCE: Mayor Benton reported he received two bids for fencing along Mountain View Lane that borders the cemetery. The Vergennes Historical Society has recommended the steel or aluminum 'Classic Fence' which will be 4' high with triple rails. Middlebury Fence Company bid \$18,780 that includes an 8' gate with an arch. Hawk Creek Fence Company's bid was \$21,957 and included the arch. The cost for the steel fence is a little more expensive, he advised. Senior Alderman Randall Ouellette moved to authorize Mayor Benton and City Manager Hawley to proceed with the fencing project at a cost not to exceed \$19,000. The motion was seconded by Lowell Bertrand with all voting in favor.

VERGENNES FARMERS' MARKET: A request was made by Vergennes Farmers' Market to use the City Green on Thursdays, between 3:00 and 6:30 p.m., beginning June 12th through September 25th. Also included in the request were the use of the City Green and bandstand on Thursday afternoon and evening, August 21st, to hold their 2014 Community Supper and the inclusion of the Vergennes Community Supper in marketing and media of Vergennes Day. Alderman Daniels moved to approve the request, seconded by Senior Alderman Randall Ouellette, with all voting in favor. No action was taken regarding the hand-washing station as sufficient details were not available.

APPOINTMENTS: Manager Hawley advised Mayor Benton and himself would like to be appointed as delegates to Addison County Regional Planning Commission to represent the City this week in support of the natural gas pipeline going to Rutland. Senior Alderman Randall Ouellette moved to make those appointments, seconded by Alderman Renny Perry, with all voting in favor.

RAY E. DAVISON CAPITAL EQUIPMENT FUND: The policy for the Ray E. Davison Capital Equipment Fund calls for a City Council member to be on the Committee. Clara Comeau previously held that spot but is no longer on the City Council. Senior Alderman Randall Ouellette volunteered to fill that position. Mike Daniels moved that Alderman Ouellette be the City Council representative of the Committee, seconded by Lowell Bertrand, with all voting in favor.

REVOLVING LOAN FUND: Manager Hawley advised the policy for the Maynard Building Revolving Loan Fund states the seven-member committee must include a real estate agent/broker and a City Council member on the Committee. Lynn Donnelly has been the real estate agent/broker and Clara Comeau has been the City Council member. He recommended that they switch positions on the Committee since Clara is eligible as a real estate agent/broker and Lynn can be the City Council representative. Senior Alderman Randall Ouellette moved to accept that recommendation, seconded by Alderman Bertrand, with all voting in favor.

REPEAL TAXI ORDINANCE LICENSE: Alderman Renny Perry advised he would like a little more time to do some research. Alderman Mike Daniels moved to table this item of business until the next meeting, seconded by Senior Alderman Randall Ouellette, with all voting in favor.

REFORMATION OF RECREATION COMMITTEE: Mayor Benton advised he would like to hold off on the reformation of the recreation committee until after the April 16th Community Visit meeting anticipating more direction from the public.

SAM FISHMAN SWIMMING POOL BUDGET AND RATES: Manager Hawley advised he has spoken of this in the past relative to the annual allocation of \$6,000 from the Watershed Recreation Reserve Fund earnings to subsidize the operation of the swimming pool or is it time to raise the rates. In 2010 the City took ownership of the pool from the Vergennes Graded School District and established rates which have not changed. The 2014 budget is going to be a challenge without a rate change and wanted the City Council aware. If there is consideration to discontinue or reduce the \$6,000 allocation, the policy needs to be amended. Senior Alderman Randall Ouellette moved to adopt the same rates used for the 2013 pool season. The motion was seconded by Lowell Bertrand with all voting in favor.

OPERA HOUSE MARQUEE PROJECT: The marquee has been taken down and its renovations include safety lighting, advised Manager Hawley, with additional lighting added to the base. He recommended that the City pay for the safety lighting and lighting of City Hall quoted at \$1,630 with proceeds from the water tower fund. Senior Alderman Randall Ouellette moved to approve that recommendation, seconded by Alderman Perry, with all voting in favor.

COMMUNITY VISIT: Mayor Benton advised the “Community Visit” by the Vermont Council on Rural Development will be Wednesday, April 16th, from 6:30 to 9:00 p.m. He encouraged everyone to attend. Feedback obtained at the nine different workshops held in March should be available.

BUDGET REPORT: Manager Hawley advised we are near the 80 percent mark and the budget is in pretty good shape. He reported most all bills for the new police station have been paid other than the amount remaining under the contract for final landscaping of about \$32,000. Alderman Perry asked for the minutes to reflect that the landscaping expense does not come out of the project contingency fund that currently is about \$40,000. Interest in the amount of \$736.68 earned on the bond proceeds held in the construction account will be transferred to the general fund in accordance with the investment policy, advised Manager Hawley.

SPRINT NEXTEL LEASE TERMINATION: Written notice has been given to the City by Sprint Nextel communicating their intent to terminate their lease agreement dated May 31, 2001 for use of the water tower to be effective October 30, 2014. Manager Hawley stated that based on the

agreement, he feels they will still owe the City \$29,970 in September and maybe another \$31,170 for the balance of the renewal period.

AT&T LEASE AMENDMENT: A lease amendment has been requested by AT&T regarding the water tower, advised Manager Hawley, as they are swapping out some equipment. They propose a \$350/month increase to their lease payment. Currently, there is a \$600/month credit on our cell phones bill with a resulting \$300/month balance. He would like to see the City get the \$350 increase and increase the monthly credit to \$900. Alderman Mike Daniels moved to authorize Manager Hawley to sign the lease amendment with AT&T once the terms have been finalized. The motion was seconded by Alderman Bertrand, with all voting in favor.

FIRE STATION WARRANTY DEED CONDITION: Manager Hawley advised in 1959 the Vergennes Graded School District conveyed the school gymnasium to the City of Vergennes for use by the fire department. The deed contained a condition that if premises were sold and conveyed, the proceeds of said sale shall belong to the Vergennes Graded School District which is now dissolved. He reported he is having the City Attorney prepare a deed that will release that condition and will require signatures of the two remaining members from the Prudential Committee for the Vergennes Graded School District, and authorized agents for Vergennes Union High School and Vergennes Union Elementary School.

OTHER: Alderman Daniels advised the Fishing Derby Committee has met a few times and they now have their letter out soliciting donations for this event. The derby is scheduled for June 20th, 21st, and 22nd. Manager Hawley reported that event organizers include Mike and Judi Daniels, Martha DeGraff, Michelle Eastman, and Grady O'Connor.

ADJOURNMENT: Alderman Lowell Bertrand moved to adjourn the meeting at 7:33 p.m. The motion was seconded by Alderman Mike Daniels with all voting in favor.

Respectfully submitted,

Vergennes City Clerk