

CITY COUNCIL MEETING  
AUGUST 30, 2016  
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        | Amy Bodette Barr |
| Senior Alderman Renny Perry | Shanon Atkins    |
| Alderman Lynn Donnelly      | Carolyn Thompson |
| Alderman Lowell Bertrand    | Karen Wisell     |
| Alderman Jeffrey Fritz      | Connie Houston   |
| Alderman Mathew Chabot      | Julie Basol      |
| Alderman Mark Koenig        | Shannon Haggett  |
| City Manager Mel Hawley     | Ian Huizenga     |
| City Clerk Joan Devine      | Andy Kirkaldy    |

AMENDMENTS TO THE AGENDA: Mayor Benton advised the agenda has been amended and includes five additional topics for discussion and/or possible action.

WARRANT: A Warrant totaling \$380.00 for FY2016 expenses, and another Warrant totaling \$143,319.42 for current fiscal year expenses, were circulated for review and signatures of approval.

MINUTES: The minutes to the August 2, 2016 meeting were reviewed. A few grammatical corrections were made. Lowell Bertrand moved to approve the minutes as corrected, seconded by Senior Alderman Perry, with all voting in favor.

OUTSIDE CONSUMPTION PERMIT: Ian Huizenga, d/b/a Bar Antidote, was present to answer any questions regarding his application for an Outside Consumption Permit that would allow alcohol to be served on the refurbished deck facing School Street and Green Street. City Manager Hawley advised a portion of the deck may be in the School Street and/or Green Street right-of-way, and if that is determined, he will issue a corresponding license agreement. Matt Chabot disclosed that he has done work for Ian Huizenga in the past but did not feel he had a conflict of interest that would prevent him from voting on the permit application. Alderman Lowell Bertrand moved to approve the permit, seconded by Senior Alderman Perry, with all voting in favor.

CITY COUNCIL MEETING TIME: City Manager Hawley reported the City Council previously discussed changing the starting time of regular meetings but made no definite decision. This was one of the added agenda items. After a quick discussion, Senior Alderman Perry moved to change the starting time to 5:30 p.m. beginning with the September 13<sup>th</sup> meeting. The motion was seconded by Alderman Bertrand with all voting in favor.

VERGENNES PARTNERSHIP – REQUEST FOR WATER TOWER FUNDS: Vergennes Partnership President Renny Perry advised the City allocated \$7,500 from the general fund

budget and also gave \$7,500 from the Water Tower Fund during FY2016 to support their organization's mission, vision, and goals for the Designated Downtown as well as the overall economic health and wellbeing of the city. He stated that a key part of maintaining an improved Vergennes Partnership organization involves the City agreeing to fund them at \$15,000 again this year as their commitment to keeping a vital downtown and a prosperous economy. He did acknowledge the adopted FY2017 budget includes \$7,500. Appreciation for prior support was expressed and mentioned that it enables them to concentrate their efforts on those tasks that are benefitting the downtown and city as a whole. President Renny Perry also pointed out that the Downtown-Basin Master Plan includes items for them to implement in addition to carrying on their downtown obligations. Alderman Lynn Donnelly moved to allocated \$7,500 from the Water Tower Fund to support the Vergennes Partnership. Alderman Jeff Fritz seconded the motion. Alderman Mark Koenig questioned whether the use of these funds complies with the Water Tower Fund policy. Mayor Benton explained many of the Vergennes Partnership's accomplishments fall under economic development and would therefore qualify. City Manager Hawley read applicable language from the policy confirming that affirmation. A vote on the motion showed all voting in favor except Senior Alderman Perry who abstained due to what might be perceived as a conflict of interest as President of the Vergennes Partnership.

VERMONT GAS SYSTEMS – LICENSE AGREEMENT AND EASEMENTS: City Manager Hawley advised that along with the License Agreement, Vermont Gas Systems is seeking easements over the back right-hand corner of the City Green and the property between Otter Creek and the wastewater treatment plant. He reported the easement is under review by the City Attorney but has asked Vermont Gas Systems to investigate redesigning the location of the distribution line so that it remains within the Park Street and North Street right of way resulting in no need for an easement over the City Green property. He said the distribution line from the property owned by the State of Vermont that is currently leased to Northlands Job Corps is designed to go under the Otter Creek and over to the wastewater treatment plant area. He explained that an easement might not be needed as the line may be located in the Canal Street right of way that extends to the river and, if that is the case, the line would be covered by the License Agreement. He advised he is currently working with Vermont Gas Systems regarding acceptable language involving the performance bond. Tom Murray, Director of Sales and Marketing for Vermont Gas Systems, reported the transmission line from Monkton to Middlebury will be completed in September; Michels Corporation is doing the project. He advised they will not get the pipes into Vergennes until next spring. Mr. Murray explained the License Agreement will be for procedures to follow for initial construction. City Manager Hawley advised there is a map that goes with the License Agreement that shows the distribution lines will serve all but about five properties. He advised he presented the draft document hoping to get feedback from the City Council. The performance bond is listed at \$100,000 but can be lowered to less upon completion. This is a perpetual agreement, he advised, so the performance bond needs to be in place to protect the City's interest. He will be looking for authorization at the next meeting to sign the License Agreement, he stated. Tom Murray felt they will be able to install all the lines and make all connections during 2017.

VLCT BUSINESS MEETING DELEGATE DESIGNATION: Alderman Lowell Bertrand moved to appoint City Manager Hawley as the City's delegate for the VLCT Annual Business Meeting. Senior Alderman Perry seconded the motion with all voting in favor.

SIDEWALK INVENTORY AND IMPROVEMENT PLAN: Mayor Benton thanked Shannon Haggett, the Planning Commission, and VUHS students for all the work they put into creating the sidewalk plan. He advised we now have a document to begin our work. City Manager Hawley reported Public Works Supervisor Jim Larrow has also been given a copy. He said Planning Commission member John Colburn walked the entire city using the information that was provided by the students. Manager Hawley reported he and Jim Larrow will inspect the sites claimed to be in need of attention. He felt the sidewalk plan will be a great tool. Mayor Benton advised that the City Council will need citizen input to help prioritize extensions to the existing system of sidewalks.

WINTER PARKING BAN ORDINANCE: Alderman Chabot stated that the City Council is waiting for the number of vehicles that would be affected if the winter parking ban ordinance is changed to allow parking in the downtown district when there was no threat of snow. City Manager Hawley advised he will gather information on the number of living units and the number of private off-street parking spaces in the downtown district.

TENNIS COURTS RESURFACING: City Manager Hawley reported he received estimates for resurfacing the courts from \$8,000 to \$11,000 depending on the level of work. The resurfacing was last done in 2011. If this project is done, he advised, money needs to come from one of the reserve funds as it is not included in the general fund budget. Alderman Koenig advised he has heard more concern expressed regarding the inspection of the swimming pool. Mayor Benton suggested doing both projects in the spring. Senior Alderman Perry felt the tennis court resurfacing can be done in the spring and also felt the swimming pool needs to be inspected by someone, somehow. It appeared to be the consensus to wait until spring for resurfacing the tennis courts. Manager Hawley reported he had requests for pickleball courts as part of the tennis court resurfacing project. He would like to get back to his contractors and give them an answer. Alderman Lynn Donnelly advised she would support doing the courts this fall if the price is going to be cheaper. She felt both the pool and the courts need to be done so we might as well get started and did not see the two projects as being related. Manager Hawley will check on price differentials. He went on to advise that Tom Booska, owner of Pool World, thought he could come down this week but he has not heard from him yet. The swimming pool has been partially drained, advised Manager Hawley, so that the valve replacement can be done and then it will be refilled before winter.

CERTIFICATE OF CITY CLERK APPOINTMENT: Mayor Benton advised the City Clerk was appointed last month but this document needed to be signed so that it could be filed with the Addison County Clerk.

CERTIFICATE OF NO APPEAL OR SUIT PENDING: A Certificate of No Appeal or Suit Pending for the 2015 grand list was prepared. Manager Hawley advised we have not closed the 2015 grand list because VV II Housing Associates, LP appealed the decision of the Board of Civil Authority to the State appraisers. That decision supported the findings of the Board of Civil Authority but VV II Housing Associates, LP has the right to challenge that decision by filing an appeal within 30 days to the Supreme Court. He advised he is not sure if that time

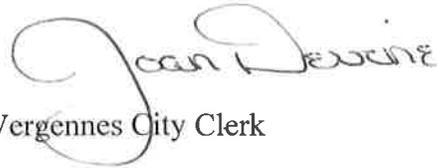
period is passed and suggested waiting until the next meeting to take action on the Certificate of No Appeal or Suit Pending.

Senior Alderman Perry and Alderman Jeff Fritz departed at 7:13 p.m.

CITY MANAGER'S REPORT: Manager Hawley, who is also the delinquent tax collector, advised delinquent taxes were at \$40,624.80 on June 30, 2016. Of this amount, \$16,608.54 was collected in the first 60 days of this fiscal year and can be reflected in the general fund June 30<sup>th</sup> fund balance. Delinquent property taxes for all prior years were \$24,016.26 as of August 29, 2016.

The regular meeting adjourned at 7:22 p.m. by motion of Alderman Lowell Bertrand, seconded by Alderman Mark Koenig, and unanimously approved.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Jean Deschê". The signature is written in dark ink and is positioned above the typed name of the signatory.

Vergennes City Clerk