

VERGENNES CITY COUNCIL MEETING  
SEPTEMBER 8, 2015  
MINUTES

Mayor William Benton called the 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	Shannon Haggett
Alderman Renny Perry	Tim Cook
Alderman Lowell Bertrand	Peter Kahn
Alderman Jeffrey Fritz	Brett Bartlett
Alderman Lynn Donnelly	Dean Bartlett
Alderman Joe Klopfenstein	Lisa Casey
Alderman Michael Daniels	Dustin Hill
City Manager Mel Hawley	Michelle Eckles
City Clerk Joan Devine	Maura Carroll, VLCT
Reporter Andy Kirkaldy	

Mayor Benton acknowledged a letter from Representative Diane Lanpher regarding the recent overflows the City has experienced during the last year at the Macdonough Drive wastewater pump station. The State is hosting a CSO (combined sewer overflow) briefing on September 22<sup>nd</sup> for the 16 municipalities that experience similar events. He advised this will be an agenda item at our September 29<sup>th</sup> meeting as requested by our Representative.

VLCT UPDATE: Maura Carroll, the new Executive Director of Vermont League of Cities and Towns, advised she has been here since July 6<sup>th</sup> and replaces recently retired Steve Jeffrey. She reported her focus is on the members of the League so she wanted to come to this meeting to introduce herself and to meet one of her members. She went on to report that she has been with a similar organization for 25 years in New Hampshire and is happy to be back working with local governments. Manager Hawley gave the history of VLCT in Vermont that started with 2 employees and has grown to its current staff of 50 employees.

VERGENNES SWIM TEAM COMMITTEE: The purpose of the Vergennes Swim Team Committee being present was to discuss their financial report of the 2015 season. The updated report dated August 28<sup>th</sup> shows they budgeted \$8,725 in revenues and the actual revenues were \$12,789; expenditures were budgeted at \$12,158 and the actuals were \$12,707. Because the expenses were higher than their budgeted revenues, City Manager Hawley asked what their cash on hand was when the season began. They reported they had a \$7,000 bank balance to begin the season; a number they strive for when ending the season. This year, advised Michelle Eckles, they charged families to participate in the State competitions and they also sold T-shirts as their end of the year fundraiser. She went on to report that next summer they will host the league competition in July. The pool will need to be inspected for this activity and that will cost about \$4,000, she advised. The tiles that mark the lanes on the floor and walls of the pool also need some work to make them safe and more visible. Other less costly things they would like from the City are trash and recycling bins to use and to have them emptied at the end of the event. They would also like some bleachers transferred to the pool area. Dustin Hill, Assistant Director of the Middlebury Parks and Recreation Department, provided copies of the formal inspection of their municipal pool. Senior Alderman Perry inquired if a pool inspection was necessary in order to host the swim competition event. Dustin Hill advised it was not.

CLAYBROOK SUBDIVISION – PROPOSED CITY STREET: Peter Kahn, along with partners Brett Bartlett and Dean Bartlett, were present to discuss the Claybrook subdivision that is located off West

Main Street. Mr. Kahn reported the entire project consists of 50 single-family homes that will be built in four phases. He advised their Act 250 review is nearly completed and they should have their permit within two weeks to begin building the next phase. Included in the next phase is a road they will build to City specifications that they would like named "Commodore Drive". They would like to turn this street, as well as future streets, over to the City upon completion of each phase. City Manager Hawley advised subdivision approval has been granted by the Development Review Board for this project but that it is up to the City Council to approve taking over streets. Crosby Farms is another development that was built in phases and the City took over the streets as the phases were completed, he advised. The decision by the Development Review Board refers to an agreement between the developer and the City if the infrastructure is to be turned over to the City. The alternative, he advised, is not to accept any streets until project completion. If the City Council accepts the streets as the phases are completed that would need to be incorporated into the agreement. Consensus of the City Council was willingness to accept streets built to City standards as the phases are completed.

MINUTES: Minutes of the August 18<sup>th</sup> meeting were amended on the first page under FVOH/Vergennes Partnership - City Hall Use. In the last sentence it addresses Senior Alderman Perry. "Who is also president of Vergennes Partnership" was added for clarification. Senior Alderman Renny Perry moved to approve the minutes as corrected, seconded by Alderman Lowell Bertrand, with all voting in favor.

WARRANTS: Two warrants were presented for approval. One warrant was for FY2015 expenditures totaling \$12.62 and the other warrant of current year invoices totaled \$203,964.69. Both were circulated for review and signatures of approval.

LEASE AGREEMENT AMENDMENT – FVOH: City Manager Hawley advised the lease with Friends of Vergennes Opera House was amended by the City Council on February 17, 2015 by means of a Memorandum of Understanding until a Special City Meeting was held May 5, 2015 where the voters authorized the City Council to amend the original lease dated November 6, 2003. The amendment addresses the premises that are leased and will now include the so-called "ticket booth". The City has reserved the unrestricted right of ingress and egress through the said ticket booth by City employees to access the vault in that space. Senior Alderman Perry, who is also President of Vergennes Partnership, reported FVOH and the Partnership have a Memorandum of Understanding for shared space of the "ticket booth" that is under legal review. Senior Alderman Perry moved to approve the Lease Agreement Amendment with FVOH, seconded by Alderman Bertrand, with all voting in favor.

VERGENNES PARTNERSHIP – CITY HALL SPACE: Manager Hawley reported, now that the Lease Agreement Amendment with FVOH has been approved, that will allow the City to enter into an Agreement with Vergennes Partnership for the use of the former "Chief's Office" which will have access through the "ticket booth" space which will be shared with FVOH. If this is just about shared office space, he advised, he can write it as such. The City is giving the Vergennes Partnership \$15,000 this year and wondered if perhaps a contract should be drawn up for that listing our expectations just as we do with Vergennes Area Rescue Squad. If so, the two could be incorporated into one document. Senior Alderman Perry, who is also President of Vergennes Opera House, felt there should be two separate agreements. Alderman Michael Daniels recommended that City Manager Hawley and Senior Alderman Perry meet to write the agreements and then bring them back to the City Council for approval.

REVIEW OF SECTION 1272 ORDER: A 1272 order was issued on January 2, 2014 due to the wastewater overflows at the Macdonough Drive pump station, advised City Manager Hawley. The Agency of Natural Resources and the City met in July 2013 to discuss reports and the next phase of action to eliminate the overflows. It was agreed flow gauging was necessary at this location to measure the volume of excessive infiltration during storms. This was accomplished last fall. The Order listed what needs to be accomplished by specific dates and reports that needed to be filed with the Agency detailing

results. He advised all the items listed in the Order have been and will be completed and we will receive a subsequent Order for further action.

BDE VERGENNES POQUETTE SOLAR, LLC: The City has been notified that a notice of application for a Certificate of Public Good for an approximate 500 kW ground mounted solar array to be located at 94 Comfort Hill will be filed with the Public Service Board, advised Manager Hawley. Erection of solar arrays do not require zoning permit approval from the City and this has been a topic at Planning Commission meetings. Consideration in the near future may be given to creating a master plan for suitable locations in the City. If someone is opposed to this project the City can file for interveners status, he advised.

DECLARATION OF CONSTITUTION WEEK: Mayor Benton announced the DAR has requested a proclamation proclaiming September 17<sup>th</sup> until the 23<sup>rd</sup> as Constitution Week where the ideals of the Constitution will be re-affirmed in honor of their 228<sup>th</sup> Anniversary.

HEALTH OFFICER APPOINTMENT: The Department of Health would like a recommendation from the City Council for a City Health Officer to serve for the next three years. Mayor William Benton moved that Mel Hawley be the City Council's recommended candidate. Alderman Mike Daniels seconded the motion with all voting in favor.

CITY MANAGER'S REPORT: City Manager Hawley reported we had our audit last week and the fund balance for the general fund will be between \$157,000 and \$158,000. The Fire Department pumper froze up this winter while fighting a fire in below zero temperatures; damage was covered by our insurance. The Planning Commission will hold their public hearing on the proposed amendments to the Vergennes Zoning and Subdivision Regulations on September 28<sup>th</sup> at 7 p.m. at the fire station. The Planning Commission will then submit the proposed amendments to the City Council who will also have to hold a public hearing prior to adoption. A new sewer main will be installed from Champlain Farms store up to Kathy Douglas' house, advised Manager Hawley. The current clay tile pipe is deteriorated. Murphy's Metals has taken the gutters off City Hall and are replacing missing slate tiles on the roof.

OTHER: Mayor Benton announced Alderman Joe Klopfenstein will be resigning from the City Council in November as he is moving to Oregon. Manager Hawley advised the City Council shall forthwith fill the vacancy using any procedure it chooses; the appointed person will serve until the next election in March.

ADJOURNMENT: At 7:30 p.m. Alderman Lowell Bertrand moved to adjourn the meeting, seconded by Senior Alderman Renny Perry, with all voting in favor. The next regular City Council meeting will be held on September 29<sup>th</sup>.

Respectfully submitted,



Vergennes City Clerk