

VERGENNES CITY COUNCIL MEETING
SEPTEMBER 9, 2014
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	Alexandria McGuire
Deputy Mayor Randall Ouellette	Susan Rakowski
Alderman Michael Daniels	Stacy Raphael
Alderman Lowell Bertrand	Jennifer Johnson
Alderman Lynn Donnelly	Cheryl Brinkman
City Manager Mel Hawley	James Amblo
City Clerk Joan Devine	Susan Ferland
Shannon Haggett, Chair of PC	Reporter Andy Kirkaldy
George Merkel, Police Chief	

MINUTES: Minutes to the August 25th meeting were approved after two typo corrections were noted on a motion by Senior Alderman Randall Ouellette, seconded by Alderman Lowell Bertrand, with all voting in favor.

WARRANTS: The Warrant totaling \$705,722.28 that included the estimated 1st quarter school tax assessments was circulated for review and signatures of approval.

VACANCY-VUES BOARD OF DIRECTORS: Mayor Benton reported we have had three people express an interest in the vacancy on the VUES Board of Directors; term will expire in March 2015. He offered each of the candidates five minutes to tell the City Council something about themselves and why they were interested in the position. He advised the City Council will go into an executive session at the end of the meeting to discuss the appointment and would make a decision in public session before adjourning.

TODDLER PLAYGROUND PROJECT: Mayor Bill Benton advised Recreation Committee Chair Joe Klopfenstein is currently out of state but has been working on putting additional information together that will answer questions asked at the informational meeting held in August. Manager Hawley reported he has talked and met with June Sargent, VUES Principal, and they have walked the grounds to clearly identify school property and City property. As part of this exercise a possible alternative site was uncovered on school property just to the left of the basketball/ice skating rink. Because the Committee only concentrated on City-owned property, he advised, this site was never considered but it has some potential as well as being located closer to the existing VUES playground. Proximity to one another was a concern expressed at the last meeting. He went on to advise that he discussed with Principal Sargent whether there was a parking problem at the school. There is not, he advised, unless there is a swim team meet or an event at the school. Alderman Perry inquired if it was determined if the school playground could be accessed during school hours; that also was a concern brought up at the last meeting. Manager Hawley reported that he has a copy of a memo that was sent to Police Chief George Merkel several years ago from then-Superintendent Tom O'Brien that, when read, can be interpreted two different ways. Jennifer Johnson advised teachers and administrators don't support older children on the school grounds during school hours because they tend to be rougher than children in the lower grades; they are concerned for child safety. Sue Ferland, a VUES board member, advised the school board has discussed this topic and there is no policy but they would like people to check in at the office if they are on the grounds. There is no desire on the part of the school board to create a policy, she advised. Alderman Lynn Donnelly reported that there is a smaller playground for kindergarten kids already there and she would rather see that expanded or improved. Senior Alderman Randall Ouellette supported the newest site discussed as did Alderman Daniels who felt we could work with the elementary school on this. Alderman Perry certainly felt it was worth pursuing as did Alderman

Bertrand. Susan Ferland stated that she would like to caution the Recreation Committee to look at the issues with the grant. She has spoken with Christine Gilhuly at the State who told her that all parties in the community must come to some type of a consensus. Susan advised she has sent all the documents that she had to Christine so that they may be shared with the committee that awarded the grant. Manager Hawley advised the morning after the last meeting when this error was brought to the City Council's attention, he contacted Christine Gilhuly and explained the situation and followed up with an e-mail. He also has asked her if the 60% quoted in the application versus the 30.87% that came from the survey was going to be an issue but he has not heard back from her yet. Manager Hawley reported he talked with Tara Brooks to try to figure out where that percentage came from and Tara was able to show him further down in the survey where that number appeared. It was clearly an error, he advised. The survey regarding what public improvements were wanted and their rank showed a walking path came in first, a dog park second, and the toddler playground came in third. Alex McGuire asked if the State were to retract the grant, would the project die. Manager Hawley advised he was not concerned with losing those funds.

MUNICIPAL DEVELOPMENT PLAN: Shannon Haggett, Chair of the Planning Commission, advised the City Council heard discussion last month at their public hearing regarding the Central Business District and the Northern Gateway District. He advised the Planning Commission is looking for guidance from the City Council on these two areas. Manager Hawley advised he is hoping the conversations can be addressed without major changes that would require two additional public hearings because the current Plan expires at the end of September. The Northern Gateway District encourages mixed-use development, advised Mr. Haggett, with retail or commercial downstairs and residential above. If we are dealing with an existing building we want to maintain its integrity. Alderman Perry inquired if there was any compromise language where we can meet in the middle. Shannon advised the Planning Commission can come up with anything the City Council desires. Manager Hawley reported mixed use will allow residential but not on the ground floor. Mayor Benton stated that he likes the way it is written but also understands the balance with demand solution stated by Mr. Amblo. Alderman Perry suggested wordage such as 'encourage' or perhaps visually it looks like we want it to look and can allow residential on the bottom floor in the rear of the building with access from the back. The Planning Commission is meeting on Monday, advised Manager Hawley, so it is most efficient to give guidance to Shannon for bullet #4 so they can work on it and get it back to the City Council for their September 23rd meeting. Alderman Lynn Donnelly advised she does not want to see the Basin Block look from years past again; commercial fronts are needed in these districts. She went on to advise that property owners have a responsibility to create an image with landscaping. Alderman Daniels felt in the Northern Gateway District a minor waiver could be issued but keep the majority manufacturing. The demand is not there at this time and they can't afford empty buildings for long, he stated. Senior Alderman Ouellette would like to see them stick with the language as written. Mayor Benton agreed as a wrong tone can ruin an area. Alderman Perry supported no front or first floor residential in the Northern Gateway District. Mayor Benton advised the consensus shows commercial on the first floor only in the Northern Gateway District and in the Central Business District on Main Street residential on the first floor will be allowed in the rear if not fronting on the main corridor. Mel said that he and Shannon would finalize the language for the Central Business District based on that understanding. Alderman Daniels moved to set the final City Council public hearing for September 30th. Senior Alderman Randall Ouellette seconded the motion with all voting in favor.

COMMERCIAL VEHICLE ENFORCEMENT VEHICLE: Police Chief George Merkel reported he has found a 2009 Chevrolet Tahoe with 83,000 miles for sale by the Town of Hinesburg Police Department. This is a 4WD vehicle that is equipped with the same equipment that we have in other cruisers, he advised. They will be accepting sealed bids on the vehicle until September 22nd. If the high bidder is another police department the equipment in the vehicle may be sold for an additional \$3,000, he advised. This vehicle would be used for Commercial Motor Vehicle Enforcement and would be our first 4WD vehicle for inclement weather. Chief Merkel felt this vehicle will pay for itself as he referred to the 30 plus tickets that have been written for overweight vehicles which has netted \$50,000 in fines. He was content to start with this and let the program prove itself. DMV has lent us 6 sets of scales (valued at \$20,000) that Officer

Newton has been carrying around in the Crown Victoria cruiser, he advised. Chief Merkel advised he would like to submit a bid of \$10,001 and is looking for City Council approval to do so; the Kelly Blue Book says it is valued at \$15,000. Alderman Donnelly felt this was a great idea but the purpose of a 'sealed bid' is so no one knows what amount you are bidding. Manager Hawley advised this is not something we budgeted for this year so if we end up with the bid our purchase will challenge the budget. Senior Alderman Randall Ouellette moved to authorize City Manager Hawley and Police Chief Merkel to put in a sealed bid on the Hinesburg Police Department vehicle not to exceed \$10,500 for the vehicle and equipment. Alderman Lowell Bertrand seconded the motion with all voting in favor.

CITY MANAGER'S REPORT: Manager Hawley advised everyone has a copy of the current budget but it is still early in the fiscal year. The Sewer Extension Agreement sent to the State for the Train Station Project has not come back yet. He advised he is aware that Item #6 is an issue for them regarding putting liens on their property for non-payment but he and Attorney Ouimette are asking that it remain to be consistent with current and future agreements for sewer service for out-of-town properties. The connection fee and where it will go needs to be discussed. He feels all connection fees should be going to the Capital Reserve Fund and not the Bio-Solids Management Fund. He went on to report that delinquent taxes came in extremely well due to the preparation, mailing and posting of tax sales notices. Delinquent taxes are now down to \$22,000.

The grand list filings from 2009-2013 for VELCO showed Shelburne having an extra \$14,600,000 in assessed value while Vergennes, Ferrisburgh and three other towns having been shorted. Sharon Tucker of VELCO advised she knew it in October 2013 but was misguided by the Vermont Tax Department when the error could have been corrected for 2013. Discussions have occurred regarding lost income and they are going to make the towns involved whole. Vergennes will be receiving around \$12,000, he advised. Also, he reported, Christopher Bearor will be leaving our Public Works Department on September 12th for his new position with VTrans working out of Middlebury. We have an ad in the newspaper for this position with September 26th as the deadline for applications.

EXECUTIVE SESSION: At 7:35 p.m. Alderman Lowell Bertrand moved to go into an executive session to discuss applicants for the VUES Board of Directors vacancy. Senior Alderman Randall Ouellette seconded the motion with all voting in favor. At 7:40 p.m. Senior Alderman Randall Ouellette moved to adjourn the executive session, seconded by Alderman Daniels, with all voting in favor.

REGULAR SESSION: Mayor Benton advised he was impressed with all the applicants and what each one could bring to the VUES Board of Directors; it made it very difficult to choose just one. As this term expires in March 2015, he encouraged each of them to run for this elected position. Senior Alderman Randall Ouellette moved to appoint Susan Rakowski to the VUES Board of Directors until March 2015. The motion was seconded by Alderman Bertrand and unanimously approved.

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

Respectfully submitted,

Vergennes City Clerk