

VERGENNES CITY COUNCIL MEETING
SEPTEMBER 29, 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
Alderman Renny Perry
Alderman Lowell Bertrand
Alderman Jeffrey Fritz
Alderman Lynn Donnelly
Alderman Joe Klopfenstein
Alderman Michael Daniels
City Manager Mel Hawley
City Clerk Joan Devine

Shannon Haggett
Senator Claire Ayer
Representative Diane Lanpher
Amy Bodette Barr, Vergennes Partnership
Police Chief George Merkel

COMBINED SEWER OVERFLOWS (CSO): Representative Diane Lanpher presented an updated letter to the City Council regarding the CSO briefing she coordinated on September 22nd at the Burlington Wastewater Treatment Plant. Her letter states the briefing was a success and it achieved the main goal of gathering federal, state, and local officials together to discuss Vermont's CSO situation. The letter also acknowledges the attendance of City Manager Mel Hawley, Aldermen Renny Perry and Jeff Fritz, and our Wastewater Treatment Plant Operator Rick Chaput at the meeting. She suggested some short-term and long-term items for consideration such as a two-day conference addressing solutions to reduce CSO discharges and long-term funding options that are available.

City Manager Hawley advised he found it interesting to hear efforts the City of Burlington has made even though they continue to experience overflows. He felt it was really about education; we need to be informing our residents about the impact of sump pumps to our system. Old clay tile lines are another area that is a problem for us. When the next sewer billing goes out a stuffer should be included educating the public on what they can do to help, he stated. Alderman Daniels pointed out that three or four years ago the State of Vermont spent three-quarters of a million dollars on replacing and tightening up the sewer lines at Northlands Job Corps and the pump station that serves this facility has not had an overflow since.

VISITORS: Senior Alderman Renny Perry introduced Amy Bodette Barr who is the new marketing and development coordinator for the Vergennes Partnership. She comes to the Partnership with many years of experience in marketing and fundraising, he advised. She also grew up here and has recently returned to the City, he added. Amy expressed her appreciation for this opportunity and felt very fortunate to be selected.

MINUTES: Minutes of the September 8th meeting were amended. Visitor Dustin Hill was corrected to Dustin Hunt. Under Vergennes Partnership on page two, Senior Alderman Perry who is also "President of Vergennes Opera House" was corrected to read that he is the President of Vergennes Partnership. On the third page, under City Manager's Report, "A new sewer main will be installed from Champlain Farms, located on Main Street at the Monkton Road intersection, east to Kathleen Douglas' house located at 35 Main Street." was reworded to include street locations. Alderman Mike Daniels moved to approve the minutes as corrected, seconded by Alderman Lowell Bertrand, with all voting in favor.

WARRANT: The warrant presented for approval, in the amount of \$974,594.27, was circulated for review and signatures of approval. City Manager Hawley advised the warrant includes the first quarter installment of education taxes to the union elementary and the union high schools as well as the wastewater treatment plant bond payment.

FERRISBURGH POLICE COVERAGE: Stephen Gutowski, Chair of the Ferrisburgh Selectboard, sent a letter to the City Council advising the Town of Ferrisburgh Selectboard is interested in a presentation by City Manager Hawley and Chief Merkel to the Town of Ferrisburgh on the possibility of providing police coverage by the Vergennes Police Department. Chief Merkel stated they have expressed an interest to him in having police coverage and investigating its costs for some time now. They have serious concerns with the number of burglaries, motor vehicle incidents, and drug issues that are happening in their town, he advised, along with an increase in businesses moving in. The Addison County Sheriff's Department has provided contracted services for both the Town of Pantton and Town of Ferrisburgh dealing mostly with motor vehicle enforcement. The State Police are the primary responding agency for Ferrisburgh but they are short-staffed and can't provide the service needed, he stated. City Manager Hawley reported the City of Vergennes can apply for a federal COPS grant to hire another police officer without cost to the City but he and Chief Merkel are looking more to see if the City Council supports them going forward to explore this option for the Town of Ferrisburgh. The same logic would apply to Pantton and Waltham, he advised. They are looking for guidance and authority from the City Council, advised Manager Hawley. Alderman Renny Perry felt it was a good idea as we already offer regional recycling and fire protection. We just need to set this up so that the City doesn't carry the financial burden, he stated. Remaining members also concurred provided there was no additional financial burden to the City. Mayor Benton stated that it was worth looking into further.

PROPOSED AMENDMENT TO ZONING REGULATIONS: Shannon Haggett, Chair of the Planning Commission, officially submitted their proposed amendments to the Vergennes Zoning and Subdivision Regulations. He advised the Planning Commission held their public hearing last night and changes as a result of testimony offered are incorporated in the proposed changes submitted. Shannon noted that the Planning Commission does not support ground floor residential in the central business district but the municipal development plan calls for it so language has been proposed accordingly. City Manager Hawley advised the City Council now needs to schedule a public hearing on the proposed changes before they can be adopted. If the City Council wants to change the proposed regulations after testimony at their public hearing, another public hearing will have to be held, he advised. The City Council scheduled the public hearing for Tuesday, October 27th, at 7 p.m. in the Vergennes Fire Station meeting room.

VLCT ANNUAL BUSINESS MEETING DELEGATE: Alderman Joe Klopfenstein moved to appoint City Manager Hawley as the City's voting delegate at VLCT's Annual Business Meeting being held October 8, 2015. The motion was seconded by Alderman Lowell Bertrand with all voting in favor.

VTRANS BICYCLE AND PEDESTRIAN PROGRAM: The City was successful in receiving a grant from VTrans for the sidewalk extension project at the north end of Main Street. City Manager Hawley advised that VTrans requires that a Project Commitment Form be approved by the City Council. The form must name a person in *Responsible Charge* of the project as well as confirm the City's responsibility for providing the local share of project funding and commit to do the project. A Project Commitment Form provided by VTrans was distributed in the agenda packet reflecting City Manager Hawley as the employee in *Responsible Charge*. Senior Alderman Perry moved to authorize City Manager Hawley to sign the form on behalf of the City Council. Alderman Daniels seconded the motion with all voting in favor.

DRAFT MEMORANDUM OF UNDERSTANDING-VERGENNES PARTNERSHIP: Manager Hawley reported everyone has been given a copy of the draft Memorandum of Understanding with the Vergennes Partnership for use of office space at City Hall. This will be an agenda item at the next meeting.

CITY HALL OFFICE RENOVATION PROJECT: Mayor Benton suggested that discussion regarding renovating office space at City Hall occur again. At a minimum, Manager Hawley needs to be authorized to move forward with obtaining prices from contractors for maintenance, new rugs, electrical work, and any other area needed to create useable office space for meetings. Alderman Mike Daniels volunteered to help with the painting.

CITY MANAGER'S REPORT: City Manager Hawley reported the Police Department budget is of concern to him. Officer Ouellette's decision to not remain with the drug task force this year has strained the budget, he advised. Public Works Department and the Fire Department are both good at this time. The Swimming Pool Fund ended the season with an approximate \$4,000 surplus but two diving boards need to be replaced for next year at a cost of \$2,800 each so he will be back with a request for additional funds at some point.

Manager Hawley updated the City Council on the pending lawsuit brought by East Street resident John O'Donnell regarding his filing for preliminary injunctive relief to keep the City from proceeding with the proposed toddler playground on East Street. Mel said that legal expenses through June 30, 2015 were \$1,600. There is another \$2,300 invoice to Ouimette & Runcie in the warrant signed tonight and we can expect another \$1,000 to \$1,500 more in legal expenses, he advised. Both City Attorney Ouimette and John O'Donnell have filed their respective motions and now each one must respond to the other's filing and the judge will rule. Mel said that a draft stipulation was suggested early on in an attempt to limit legal expenses since the project had been shelved by the City Council, the allocation from the Water Tower Fund had been rescinded, and the State grant had been returned but it was rejected by Mr. O'Donnell. Senior Alderman Perry suggested contacting VLCT because the decision will impact other municipalities. Manager Hawley advised he will contact VLCT staff attorney Garrett Baxter.

An inspection was done by Lynn Dickson of the Agency of Natural Resources at the wastewater treatment plant today and we may continue with an unacceptable rating, he advised. She was pleased with Rick Chaput's efforts but there have been compliance issues related to phosphorus discharge. They also were not able to complete repairs to the aeration system in the lagoons.

ADJOURNMENT: At 7:25 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 October 13th.

Respectfully submitted,



Vergennes City Clerk