

VERGENNES CITY COUNCIL MEETING  
NOVEMBER 10, 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, Planning Commission Chair
Senior Alderman Renny Perry	Peter Garon
Alderman Lowell Bertrand	Mark Koenig
Alderman Jeffrey Fritz	Christy Goyette, C & J Haulers
Alderman Lynn Donnelly	Joe Fortune, C & J Haulers
Alderman Joe Klopfenstein	David Austin
Alderman Michael Daniels	Christopher Fuller
City Manager Mel Hawley	Cheryl Brinkman
City Clerk Joan Devine	Michael O'Daniel
Reporter Andy Kirkaldy	

VENDOR'S LICENSE: Joe Fortune and Christy Goyette, d/b/a C & J Haulers, applied for a 2016 Vendor's License to continue their trash drop-off service during the operating hours of the recycling program on West Street. Alderman Daniels moved to approve the license as requested, seconded by Alderman Bertrand, with all voting in favor.

CANDIDATES FOR ALDERMAN: Mayor Benton reported receiving two letters of interest for the Alderman's seat that will be vacant effective December 1, 2015. The candidates, Peter Garon and Mark Koenig, were each offered five minutes to tell a little bit about themselves and why they would be interested in the position. Taking turns alphabetically, Peter Garon pointed out that it is only a 3-month position as local elections will be held in March. He advised he is a former Alderman so he is familiar with the operation of the City and had a reasonable relationship with several members of this City Council. He felt he could step into the position without the learning curve and is capable of disagreeing professionally. Prior positions included serving as Chair of the Milton School Board, worked in the Human Resources Department while employed with the State of Vermont, is a member of the Development Review Board, and is the current Human Resources Manager at Northlands Job Corps Center. Mark Koenig advised he was a consultant in Seattle prior to moving to Monkton and then he and his wife purchased a home on South Water Street in 2011. They have a young son so they are exposed to a school system they fell in love with; he said he volunteers there regularly. For the City he advised he serves on the Economic Task Force and is a Justice of the Peace. He has been a political science teacher to both graduate and undergraduate students and has a law degree but is no longer active in that field. Mayor Benton thanked them both for their interest in the position and advised the City Council may discuss this later in the meeting depending on time.

LAKE CHAMPLAIN INTERNATIONAL - BLUE CERTIFICATION PROGRAM: City Manager Hawley reported, if the City Council was interested in the grant discussed at the last meeting through Lake Champlain International (LCI), the deadline is November 20<sup>th</sup> for the application. By means of email, he advised, Chris Rottler made it clear to him that the applicant

to the State was LCI and that they were looking for support from the City. Mayor Benton stated he felt it was a good program to encourage capturing stormwater run-off before it hits our wastewater treatment plant. Senior Alderman Perry inquired if it would be of any benefit for the City to participate in this on our own when it came time for our compliance evaluation of the plant. He advised in other cities like Philadelphia they have shown where diversion efforts have paid off because it was cheaper to do them than it was to treat the water runoff. Mayor Benton went around the table to see who would support this effort. Alderman Lynn Donnelly felt it was a good idea and she would support it. Alderman Daniels stated the concept is great but had concerns with partnering with a private for-profit entity. Alderman Klopfenstein supported the program and pointed out that LCI is a non-profit entity and that this would be a move in the right direction. Senior Alderman Perry said he supported the program but also had concerns with partnering with a private company but feels better about it now that Alderman Klopfenstein said they are a non-profit entity. Manager Hawley advised LCI is a non-profit organization but was still unclear as to who is the applicant for this grant; LCI or someone else who is sponsoring the "Blue Certification Program". Alderman Bertrand advised the Towns of Shelburne and Charlotte have signed on and they must have had questions also. Alderman Jeff Fritz would like to see the City Council support this and receive some positive press coverage for our efforts. Manager Hawley inquired if the City Council was going to provide a local match. He stated the education availability will absorb administrative time that has a cost. Also, so-called mini-grants will be given to private individuals and he has concerns with using taxpayer dollars for this purpose. Senior Alderman Perry suggested we endorse the program without a match and give them a letter of support and see where it goes from there. By the next round we would be more familiar with the program, he stated. City Manager Hawley recommended that Mayor Benton, Alderman Klopfenstein and Alderman Fritz be authorized to prepare and send a letter of endorsement on behalf of the City and advise LCI there will be no local match. Senior Alderman Perry moved to approve the recommendation. The motion was seconded by Alderman Bertrand, with all voting in favor.

#### PROPOSED AMENDMENTS TO THE ZONING AND SUBDIVISION REGULATIONS:

Manager Hawley prepared a one-page document identifying the two Sections of proposed amendments to the zoning and subdivision regulations that the City Council needs to discuss further. He advised he and Shannon Haggett agreed that Section 1206 needed to be corrected to clarify the intent. The document also included Sections 1609.F.2.e and 1609.F.2.f which relates to residential use on the ground floor in the Central Business District. Mayor Benton explained the options the City Council had available to them at this point of the review. Alderman Lynn Donnelly advised she would like to see the City Council keep the current language in Section 1609, F.2.e which prohibits residential uses on the ground floor and remove entirely Section 1609.F.2.f. Alderman Klopfenstein announced he did not have as much of a problem with the language and would support the 20% limit as presented. Senior Alderman Perry advised he has checked several other towns' zoning regulations, and gave examples, to see how they were dealing with housing on the ground floor in their downtown districts and has found that they are all over the place with and without restrictions but the majority is very similar to what is being proposed by the planning commission. Alderman Bertrand advised he is good with the way 1609.F.2.f is written now and 20% of the footprint to be in the rear of a building is fine. Alderman Fritz felt the economic viability of the buildings in the downtown district is more important and would support the proposed language. Mayor Benton stated he supports second

story and above for residential uses but would support the amendments as originally presented. Alderman Donnelly pointed out that the difference we have compared to other communities is that we have a very limited downtown. She said the City Green is on one side followed by residential units and retail and commercial uses down the other side. She went on to advise the tenants in the residential units are not supporters of Linda's Apparel, Malabar, and other businesses and is concerned with how to reclaim the downtown once it is lost. Alderman Klopfenstein felt the proposed language is very restrictive for housing so he did not feel it will be a problem. Senior Alderman Perry felt it was a difficult situation but as a prior downtown retailer in Dover, New Hampshire he understands business owners need for commercial space. He felt the better avenue is to go with the planning commission's recommendation and change it later if we find it damaging. Alderman Lowell Bertrand moved to adopt the amendments to the zoning and subdivision regulations as submitted by the planning commission. Senior Alderman Perry seconded the motion with all voting in favor except Lynn Donnelly who was opposed. Manager Hawley advised another public hearing will not be held and the regulations as adopted will become effective in 21 days unless a petition supported by five percent of the voters is filed calling for a referendum.

WARRANT: The warrant presented for approval in the amount of \$84,602.39 was circulated for review and signatures of approval.

GREEN-UP VERMONT APPROPRIATION/APPOINTMENT OF CO-CORDINATORS: A request was made by Green Up Vermont for financial support of \$150 to be used for supplies and education associated with Green Up Day. Alderman Bertrand moved to approve the request and appoint himself and Craig Miner as co-coordinators of Green Up Day, seconded by Alderman Perry, with all voting in favor.

STREETSCAPE PROJECT: City Manager Hawley advised he has been meeting with David Pearson and Jane Melrose, owners of 11 South Maple Street (the old theatre building), regarding a project for the building to be handicapped accessible. The project has been bid and two bids were received; ECI was the low bidder at \$20,737 with an additional \$2,000 - \$2,500 for Wildflower Ironworks to fabricate and install the railings. Streetscape projects typically call for owners of the property to pay 25 percent of project cost, the City pays 25 percent, and there is a grant from the State Downtown Transportation Fund for 50 percent of the cost. The City was not awarded a grant for this project. The property owners have agreed to fund their portion by paying back the City over a 5-year period. Alderman Mike Daniels moved to allocate \$23,000 from the Water Tower Fund for the project with \$5,750 being reimbursed by the property owner over a five-year period. Alderman Lowell Bertrand seconded the motion. Manager Hawley advised to qualify for future grant funding the City needs specific projects detailed in the municipal development plan. A vote on the motion showed all to be in favor.

MINUTES: The minutes of the October 27th meeting were amended on page two and page four. Under City Ordinances – Chapter Six Alderman Daniels clarified the last sentence should indicate that he requested 911 addresses for adjacent lots be used when describing City park locations. On the last page, in the second paragraph, the word “hearing” was added in the second to the last sentence. Alderman Lowell Bertrand moved to accept the minutes as amended, seconded by Senior Alderman Perry, with all voting in favor.

CITY MANAGER'S REPORT: City Manager Hawley reported the Payment in Lieu of Taxes (PILOT) for State-owned property was \$82,226 which is \$4,490 more than expected. Police revenue is already at nearly 50 percent of the budgeted amount and does not yet include fines collected in October. He advised the Administration and Public Works budgets are both in great shape.

The City again received an unacceptable rating for the wastewater treatment plant. Lab equipment has been purchased to test phosphorus on a regular basis rather than totally relying on the monthly samples analyzed by our contracted laboratory. When the inflow is weak during rain events the 85 percent removal requirement cannot be met but remarked that the total discharge of phosphorus of 564 pounds for the last year was about 40 percent of the 1,389 pound limit in the permit for the plant.

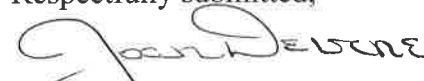
City Manager Hawley reported he and Chief Merkel have met with the Ferrisburgh Selectboard Chair Steve Gutowski regarding police coverage in Ferrisburgh by the Vergennes Police Department. He advised Ferrisburgh has a contract with the Addison County Sheriff's Department and budgets \$25,000 for law enforcement. Manager Hawley determined the on-duty cost per hour for police coverage is about \$50. He reported he is aware of another town that recently contracted with the State Police for \$86,000 a year to receive 25 hours per week coverage. Manger Hawley and Chief Merkel will be meeting with Ferrisburgh Selectboard on November 17 and he will report back to the City Council at the next meeting.

EXECUTIVE SESSION: At 7:25 p.m. Alderman Bertrand moved for an executive session to discuss the appointment of a public official. Alderman Daniels seconded the motion with all voting in favor.

REGULAR SESSION: At 7:35 p.m. Mayor Benton called the regular meeting back to order. Alderman Jeff Fritz moved to appoint Mark Koenig to fill Joe Klopfenstein's position on the City Council until March 2016 once vacated on December 1, 2015. Alderman Bertrand seconded the motion with all voting in favor except Alderman Michael Daniels who was opposed.

ADJOURNMENT: At 7:38 p.m. Alderman Lowell Bertrand moved to adjourn the meeting, seconded by Alderman Jeff Fritz, with all voting in favor. The next regular City Council meeting will be held November 24<sup>th</sup> at 6:00 p.m.

Respectfully submitted,

  
Vergennes City Clerk