

**St. Albans City Council  
Minutes of Meeting  
Monday, September 12, 2011  
City Hall, Council Chambers**

A regular meeting of the St. Albans City Council was held on Monday, September 12, 2011, in the Council Chambers at City Hall at 6:30 pm.

**Council Present:** Mayor Martin Manahan, Aldermen: Tim Hawkins, Chad Spooner, Joe Luneau, Jeff Young and Richard Peters.

**Council Absent:** Alderman Aaron O'Grady

**Staff Present:** Dominic Cloud, City Manager; Peg Strait, Director of Finance and Administration; Susan Krupp, City Clerk/Treasurer; Allen Robtoy, Director of Public Works; Denise White, Assessor/Listener; Chip Sawyer, Director of Planning and Development.

**Visitors:** See attached sign-in sheet.

**Executive Session I:**

**A motion was made by Alderman Peters; seconded by Alderman Luneau to enter into executive session at 5:35 p.m., to consider negotiating or securing of real estate purchase options. Vote was unanimous, 5-0. Jim Cameron and Chip Sawyer were also present. Aldermen O'Grady and Young were absent during executive session.**

**A motion was made by Alderman Peters; seconded by Alderman Spooner to exit executive session at 6:25 p.m. Vote was unanimous, 5-0.**

**Open Session:**

1. Pledge of Allegiance. Mayor Manahan led the Pledge of Allegiance.
2. Public Comment. There was no public comment made.
3. Errors and Omissions, Denise White (D&V).

Ms. White explained that a duplicate tax record was found when the owner of 17 Walnut Street called to discuss his tax bill. The property contains two residential structures on one lot. Ms. White discovered that when this property was converted into the new system, two records in CAMA were made in error with one of the records reflecting both structures correctly, but the record for 19 Walnut Street was not made inactive in NEMRC. Ms. White would like to correct this error by making the record for 19 Walnut Street inactive in NEMRC and deleting the tax bill for 19 Walnut Street (22,088,019) as the correct value is on the record for 17 Walnut Street (22,088,017).

  - a. St. Albans Co-operative Creamery.

A truck scale located on the property at 140 Federal Street (St. Albans Co-operative Creamery) is currently in our system as both real and personal property. Mr. Tatro

from the Co-Op came before the Assessors' office for a pre and formal grievance to discuss duplication of property at which time the record was corrected for this tax year. A formal notice was sent out following the formal grievance. The applicants discovered that the truck scale in question was on the record for real property when in fact, it had been previously filed on personal property. To keep their case open, an appeal was filed with the Board of Civil Authority (BCA). Ms. White agreed there is still an error and stated Mr. Tatro did not need to go to the BCA as the error could be rectified through the Errors and Omissions process. The appeal to the BCA was then withdrawn. Ms. White would like to correct this error by removing the truck scale from the St. Albans Co-operative Creamery's real property record. She will then send out an amended tax bill to reflect the changes. Mr. Tatro also mentioned that 57, 59, and 61 Hoyts Street, also owned by the co-op, was historically one parcel of land and is now categorized as three separate parcels from the new appraisal prepared this year. Mr. Tatro would like to list it as one parcel. Ms. White stated that because the Co-op was not the owner of record on April 1, 2011, the matter will be resolved April 1, 2012, at which time the Co-op will be the owner of record. **A motion was made by Alderman Spooner; seconded by Alderman Luneau to remove the truck scale from the real property record and amend to personal property. Vote was unanimous, 5-0.**

4. Authorization of Funds for Front-Porch Forum Neighborhood (D&V).

Front Porch Forum (FPF) is an online community where people can hold conversations about community concerns and share information. The site is moderated and members cannot post anonymously. The City has been asked to join Franklin Central Supervisory Union and Franklin County Caring Communities in sponsoring the launch of a St. Albans City FPF and would become the first community in Franklin County to be involved. Loli Berard, School & Community Coordinator of the Franklin Central Supervisory Union provided a brief background on FPF and explained its benefits. The online forum has been operating in Chittenden County since 2007, expanding the schools' ability to communicate with the general public about events as well as with families of students. FPF has also strengthened communities in Chittenden County, providing an easy, safe, effective and neighborly way to communicate. Ms. Berard explained that FPF has received a Knights Award Foundation substantial grant and e VT designation for 24 communities (i.e. Richford, Alburg, and Fairfield) through the VT Council of Rural Development in the amount of \$2500, alleviating the initial \$20,000 cost to launch an FPF. The City of St. Albans' contribution to launch an FPF would be a onetime start up fee of \$815.84. Alderman Young asked what the ongoing operating cost would be and asked how FPF would be advertised to ensure its growth and cost worthiness. Ms. Berard explained that there was no ongoing cost and in its first month since going live in St. Albans City, 150 members have already joined with only 200 members required to reach critical mass. There is also no cost to become a member of FPF. Ms. Berard also stated that FPF should continue to grow through word of mouth via community outreach programs, school parents, the local hospital and City Council. FPF compliments popular social networking sites such as facebook, twitter, and email. Informational pamphlets were also dropped off at the library. **A motion was made by Alderman Spooner; seconded by Alderman Young to authorize funds in the amount of \$815.84 for a St. Albans City Front Porch Forum. Vote was unanimous, 5-0.**

5. Adjourn for Liquor Control.

**A motion was made by Alderman Luneau; seconded by Alderman Spooner to recess out of City Council and commence as Liquor Control Board at 6:47 p.m. Vote was unanimous, 5-0.**

6. Mayor's Report. Nothing to report.

7. Planning Commission Appointment(s) (D&V).

a. Jeff Bean.

Mayor Manahan explained the need for an additional member on the Planning Commission as Chip Sawyer has since become an employee of the City of St. Albans. Jeff Bean currently serves on the Downtown Implementation Committee and has expressed an interest in serving on the Planning Commission. Mayor Manahan also explained that there may be two more potential openings in the future. **A motion was made by Alderman Peters; seconded by Alderman Hawkins to appoint Jeff Bean to Planning Commission for the duration of Chip Sawyer's term. Vote was unanimous, 5-0.**

8. Questions/Discussion of Written City Manager Report.

Alderman Luneau mentioned that the ingress/egress changes made to the sidewalks have progressed. Alderman Young added that the construction of the sidewalk is almost complete; striping was added to the streets and the handrails will be finished shortly. Alderman Hawkins asked Mr. Cloud if the rewrite of all City ordinances is currently with the Public Safety Committee. Mr. Cloud explained that the rewrite of the water/sewer ordinances is with that committee but have not been reviewed yet and ordinances will be rewritten as we get to them with water/sewer being the biggest priority. Mayor Manahan asked if we should appoint a special committee to work on the ordinance revisions. Mr. Cloud stated that the focus of the revisions needs to be on legislative draftsmanship as the ordinances need to be comprehensively reorganized. Mr. Cloud added that the creation of a committee to work on the rewrite would not be beneficial as we need to have one author. Mr. Cloud also explained that the City does not currently have the budget or the resources to hire someone and will continue to look at it.

Alderman Peters asked Mr. Cloud what benefit the City has with the VLCT agreeing to file a friend of the court brief in support of our position in Franklin County Sheriff v St. Albans City Police. Mr. Cloud explained that there is no financial benefit but the Supreme Court ruling has the weight of every city and town in the State, and it is favorable for the City of St. Albans to have the support of the VLCT on this issue.

9. Update on Elm Street Rail Crossing (Allen Robtoy).

Mr. Robtoy explained that he does not believe the North Elm Street Crossing construction is going to take place this Fall and is disappointed with the State's legislative handling by the Rail Division. Mr. Robtoy is very confident that Lower Newton Street will, however, be completed this year and explained that Chip McCarty at the State has confirmed the availability of funds and it is just a matter of New England Central coordinating with the engineers. Alderman Spooner asked if we could request members of the legislature to attend a City Council Meeting to brief the public with an update and delays for Elm Street and Lower Newton Street. Mr. Robtoy stated he will attempt to arrange that. Mayor Manahan mentioned the possibility of

changing the weight limit and rerouting the larger trucks that currently use Elm Street to instead travel Lower Newton to Brigham and back up Pearl Street to help alleviate the travel of large trucks through our neighborhoods.

10. Continued Discussion of FY 11 Wastewater Reserves (D&V).

a. Dominic Cloud and Allen Robtoy.

Mr. Cloud explained the City had planned to have sizeable reserves for waste water; \$5,000 for the At-Grade Infrastructure, \$25,000 for a Sewer Line Camera, and \$20,000 for Manhole Rehabilitation. (See handout). The Wastewater fund, however, was significantly impacted by the heavy rains which required the City to use an exorbitant amount of chemicals to avoid violating the permit. In order to make full payment we would need to exhaust the wastewater reserve. Mr. Cloud and Mr. Robtoy's recommendation is to reserve only the small surplus that is needed for the At-Grade Infrastructure assessment (the only active project) and allow the balance to remain in the reserve fund. Mr. Robtoy further commented on the sewer line camera and believes it is not the best use of money as the camera may not fit through the 6"-8" pipes which run through the majority of the City's sewer system. VT Rural Water has a camera which is federally funded. Mr. Robtoy explained that he can borrow their camera at a reduced rate with a 2-3 week notice for problem areas and has funds in the operating budget to cover that expense in the interim. Mr. Cloud added that the City will purchase a sewer line camera if mandated by the State. The discussion then changed to the Manhole Rehabilitation; Mr. Robtoy explained that there is no manhole located at the corner of Center and Main Street and the addition of a manhole in that location is part of the downtown Streetscape Project. The City has been trying to set aside \$20,000 for the manhole for several years but each year we end up with a deficit due to unanticipated factors such as heavy rain and the price of fuel, which drives up the cost to deliver chemicals. Mr. Robtoy further added that it does make sense to use the budget to replace the 100 year old sewer system while the Streetscape construction is in progress. **A motion was made by Alderman Hawkins; seconded by Alderman Young to approve only the small surplus that is needed for the At-Grade Infrastructure assessment and allow the balance to remain in the allocation reserve. The vote was 4-1 with Alderman Luneau opposed.**

11. Second Hearing on Re-adoption of City Comprehensive Municipal Plan.

a. Chip Sawyer.

Mr. Sawyer explained that some technical updates have been made to the Municipal Plan since the initial hearing. (See handout). Mr. Sawyer reiterated that in the State of Vermont, every municipality is allowed to have a Comprehensive Municipal Plan and it needs to be updated every 5 years. Chris Dermody of the Planning Commission is working on this revision. Our current plan, however, expires on September 27, 2011 and the Planning Commission needs more time to work on the revision before we can adopt the new Municipal Plan. Mr. Sawyer stated that we can temporarily re-adopt the current plan to keep the plan ongoing while the revision is being worked on. Alderman Spooner asked if we temporarily re-adopt the

current plan, can we adopt the new plan at any time or do we have to wait another 5 years? Mr. Sawyer explained that the new plan can be adopted at any time and is hoping to have the new plan in front of Council in early 2012. There were no questions/comments from the public.

12. Re-adoption of City Comprehensive Municipal Plan with minor technical amendments (D&V).  
**Mayor Manahan closed this hearing. A Motion was made by Alderman Luneau; seconded by Alderman Hawkins to re-adopt the City Comprehensive Municipal Plan with minor technical amendments. Vote was unanimous, 5-0.**

13. Resolution in support of joint application with St. Albans Town for Municipal Planning Grant funds for professional support of Reconstitution effort (D&V).  
Mayor Manahan explained that a Municipal Planning Grant is available if we want to file jointly with the Town of St. Albans. The cost is \$15,000 with no match. Mr. Sawyer added that the grant deadline is October 31, 2011 and the decision would be made sometime in November, 2011. The City could have access to the grant money as early as December, 2011 or January 2012 if all goes well. The grant funds will be used for any professional services that the Reconstitution Committee may require. **A motion was made by Alderman Young; seconded by Alderman Luneau to apply jointly with St. Albans Town for Municipal Planning Grant for professional support of Reconstitution Committee. Vote was unanimous, 5-0.**

14. VLCT Annual Meeting Appointment (D&V).

Mayor Manahan stated that he would like to appoint Mr. Cloud as a representative of the City of St. Albans to attend the VLCT Annual Meeting. Mr. Cloud accepted. Alderman Young stated he would also like to attend. **A motion was made by Alderman Peters; seconded by Alderman Spooner to appoint Mr. Cloud to attend VLCT Annual Meeting. Vote was unanimous, 5-0.**

15. Approval of City Manager letter pledging grant and loan funds from the City Revolving Loan Fund to James Cameron for the St. Albans House (D&V).

Mayor Manahan stated that the approval of the City Manager letter pledging grant and loan funds from the City Revolving Loan Fund to James Cameron was discussed earlier in Executive Session. **A motion was made by Alderman Peters, seconded by Alderman Luneau to approve loan funds to James Cameron. Vote was unanimous, 5-0.**

16. Other Business.

Alderman Hawkins had two items of business to discuss:

1. Alderman Hawkins received a petition from more than 20 residences on Brainerd Street requesting that Public Works look at sidewalks on Brainerd Street.
2. Alderman Hawkins received a phone call from Sylva and Annette Langevin regarding substantial truck traffic traveling down Pearl Street. Vibrations from the trucks are causing glass to break in their home and affecting their quality of life. Mayor Manahan added that truck route was re-routed from Walnut Street but is ultimately affecting Pearl Street because of that change. Mr. Cloud requested that Alderman Hawkins obtain the hours during the day that the trucks are traveling on Pearl Street. Alderman Hawkins will have the Langevin's contact Mr. Cloud.

Alderman Spooner added that the Federal government was going to require the City to fund and replace all of our street signs in 5-7 years with high visibility signs; however the State has now rescinded this requirement.

Mayor Manahan also added that he has received calls from residents at the East end of Rugg Street who have woken up to find rain gardens placed on the flat area of their front lawn without any prior warning. Mr. Robtoy wondered if they were placed on the wrong property in error. Mr. Robtoy will look into this.

17. Minutes (D&V).

a. August 19, Special Meeting.

**A motion was made by Alderman Luneau; seconded by Alderman Peters to approve minutes from August 19, 2011, Special Meeting. Vote was 4-1 with Alderman Spooner abstaining.**

August 29, Special Meeting.

Minutes could not be approved due to missing council members.

b. July 11, Regular Meeting; August 8 Regular Meeting.

**A motion was made by Alderman Luneau, seconded by Alderman Spooner to approve minutes from July 11, 2011 and August 8, 2011, Regular Meetings.**

c. July 11, Liquor Control.

**Minutes were approved during Liquor Control Board.**

18. Warrants (D&V).

a. August 17; September 7.

**A motion was made by Alderman Spooner, seconded by Alderman Peters to approve warrants from August 17, 2011 and September 7, 2011. Vote was unanimous, 5-0.**

19. **Executive Session II:**

**A motion was made by Alderman Luneau; seconded by Alderman Spooner to enter into executive session to consider negotiating or securing of real estate purchase options; contracts, labor relations agreements with employees; appointment of public officers. Vote was unanimous, 5-0.**

20. Adjourn.

Executive Session II was adjourned by Mayor Manahan at 7:50 p.m.

Respectfully Submitted,

Kristen Knoff, Admin. Coordinator