

# ST. ALBANS CITY COUNCIL

## Minutes of Regular Meeting Monday, March 14, 2011 City Hall, Council Chambers

A regular meeting of the St. Albans City Council was held on Monday, March 14, 2011, in the Council Chambers at City Hall at 6:30 p.m.

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

**Others Present:** Dominic Cloud, City Manager; Gary Taylor, Police Chief; Peg Strait, Director of Finance and Administration; Susan Krupp, City Clerk/Treasurer; Jim Tischler, Director of Community Development; Allen Robtoy, Director of Public Works; Kelly Viens, Recreation Director; Sarah Duffy, City Accountant; Josh Cox, Fire Marshal; Mark Wennberg, Community Justice Center Director.

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

### OPEN SESSION

1. Pledge of Allegiance. Mayor Manahan opened the meeting with the Pledge of Allegiance at 6:30 p.m.
2. Public comments on items not listed on the agenda. There were none.
3. Council comments on items not listed on the agenda. Alderman Young announced that there is a meeting scheduled for tomorrow night [Tuesday, March 15,] at 6:30 p.m. in which the Master Plan for Taylor Park would be presented.
4. Legislative Report (Representatives Keenan and Degree and Senators Brock and Kittell). Mayor Manahan stated that Senator Keenan could not make it tonight because she is in Montpelier working. Senator Brock gave an update on legislature. He highlighted issues such as the single payer healthcare legislation, taxes, and broadband. Representative Degree also spoke and reiterated some of the issues discussed by Sen. Brock as well as physician assisted suicide. Discussion ensued about the different aspects of the proposed single payer healthcare system as well as the pros and cons of it. Mayor Manahan asked Rep. Degree how many Vermonters are currently without insurance. He stated that it's about 7%, and of that number, about half (3 ½%) qualify for Medicaid programs. He stated that it's a very small portion of the population. Mayor Manahan stated that it would make more sense to come up with a plan to address that percentage of the population than to create a single healthcare system for all Vermonters who already have insurance. Both Sen. Brock and Rep. Degree agreed with his statement. Senator Brock stated that he is concerned that there are a lot of unanswered questions that he feels won't get answered before the bill is passed into law. Rep. Degree also highlighted the issue of illegal and prescription drugs and the status of the Lake Champlain cleanup. Sen. Kittell arrived late and gave an update of the agriculture and education committees that she is currently

serving on. Mayor Manahan asked Sen. Kittell where she stood on the Death with Dignity legislation. She said that she is more apt to support it than not.

**A motion was made by Alderman Spooner; seconded by Alderman Luneau to recess as City Council and convene as Liquor Control Board. Vote was unanimous.**

**A motion was made by Alderman Young; seconded by Alderman Spooner to reconvene as City Council. Vote was unanimous.**

5. Election of Council President (D&V). Mayor Manahan opened the floor for nominations. Alderman Peters nominated Alderman Luneau; Alderman Young nominated Alderman Spooner. Mayor Manahan invited Alderman Luneau and Alderman Spooner, respectively, to share why they would like to be Council President. Alderman Luneau stated that he had the same seniority as Alderman Spooner; served on the Development Review Board; oftentimes, he has different viewpoints than the Mayor which he feels is a healthy democracy and would offer a balanced viewpoint on the Council. Alderman Spooner explained that he felt the President would be somewhat of a leadership role on the Council. He went on to state what he feels the traits of a good leader would possess: a willingness to compromise when necessary; knowledge (leaders teach others how to lead, they ask questions—learning more about themselves in the process); debate—the purpose is to connect with others that have differing viewpoints—to understand what they’re perspective is. **Mayor Manahan asked for a vote for both nominees. The result of the vote: Alderman Luneau, Wards 1, 2, 3, 5; Alderman Spooner, Wards 4, 6, and the Mayor.**
6. Review of Police Department 2010 Statistics. This item was tabled due to the fact that Chief Taylor could not attend the meeting.
7. City Manager’s Report.
  - a. Weathering the Storm—Mr. Cloud recognized the exuberant effort the Public Works Department put forth through this winter season. Due to the fact that the Public Works Director was on vacation this week, he stated that he fielded a lot of the public relations calls, the majority of which were for sidewalks. He said that it caused him to do an analysis of how many plows the City has, 5-6 for an approximately 35 miles of road versus 1 sidewalk plow to approximately 50 miles of sidewalk. He said that Montpelier has 3 sidewalk plows for 26 miles of sidewalk. He said as we begin our capital improvement planning for the future, this item is something that will need to be revisited. Alderman Young mentioned that as they work on the streetscape project, the issue of sidewalks will be addressed.
  - b. Weekend Performance at City Hall—Mr. Cloud said that about 160 people were in attendance at the Bella Voce performance and said that the space is increasingly being used for performances such as this. He stated that the City has a \$100,000 grant from the EPA to renovate the space to be able to increase the use of it.
  - c. At-grade Infrastructure Assessment Update—Mr. Cloud said that this project, which will cost approximately \$30,000, is underway and the City is working closely with Sam Ruggiano and Jeff Bean. He stated that the goal is to have an assessment by the end of the year and to have a plan for refurbishing the infrastructure.

- d. Streetscape Update—Mr. Cloud stated that some conceptual plans have been reviewed and tentatively approved by the City's Downtown Board. There is a public hearing scheduled for Tuesday, March 22 at 5:30 p.m. at Jeff's Seafood to look at the conceptual plans for the Streetscape Project in the heart of Main Street opposite Taylor Park. He said it will then go on to City Council
- e. Fonda Demo Update (Jim Tischler)—Mr. Tischler gave a brief report on this project. He stated that the bid specifications are out in circulation at this point. He said that the City has approximately \$600,000 in grant money for demolition. He also reviewed the State's requirement of the phasing plan for this project. He stated that there was a walk-thru last Tuesday with approximately 65 people participating in the walk-thru for the bidders. He explained that 24 sets of plans were taken out from all over the New England and Midwest regions of the U.S. He stated that bids are due March 22 and Wesson and Samson Engineering firm is assisting in the process. He said that it is his hope that he will have a written contract to propose at the next Council meeting. Alderman Luneau asked whether the flooring will remain intact. Mr. Tischler responded that it would. Alderman Luneau asked Mr. Tischler if he felt that \$600,000 will be sufficient for this phase of the demolition. Mr. Tischler said that he felt that the bids would come in either below or at this figure. Mayor Manahan asked whether a majority of the material can be recycled. Mr. Tischler stated that this question was addressed in the specifications. Alderman Hawkins asked what the appearance of the site will look like during this phase. Mr. Tischler explained that the area will be cordoned off with a chain link fence with orange and yellow inserts ~~in~~ warning people of the hazard. Alderman Peters asked when the start date is. Mr. Tischler said that it is his hope that the winning bidder will start May 1. Alderman Peters asked whether traffic through that area will be addressed. Mr. Tischler said that this concern is also included in the specifications.
- f. Firefighter Severance Checks—Mr. Cloud informed the Council that these checks will be issued over the next couple of weeks for the three laid off firefighters, the amounts will be reflected in the financials.
- g. Selection of New Auditing Firm (D&V) Mr. Cloud explained that this process included a request for qualifications. He reported that Sullivan & Powers, a firm from Montpelier, was the only organization that responded out of the six that were mailed. Alderman Young asked why only one firm responded. Ms. Strait stated that municipal government accounting is highly technical and an audit of this caliber requires ~~more~~ staff with training and education in government accounting practices. Mayor Manahan asked what the cost of the audit has been in previous years. Ms. Strait reported that over the last five years, the cost has been between \$29,000--\$36,000. Mayor Manahan asked if we are comparing apples to apples. Ms. Strait replied in the affirmative. The bid is for three years. **A motion was made by Alderman Young; seconded by Alderman Peters to accept the bid from Sullivan and Powers Associates for a three year contract. Vote was unanimous.** Alderman Young asked if it is common to have additional costs associated with the audit after the bid has been awarded. Mayor Manahan said that there has been in the past but with the current staff the likelihood of that happening is minimal.
- h. Re-structuring of Planning and Development Dept.—Mr. Cloud explained that Jane Kiser is retiring effective July 1, which creates an opportunity to re-structure some duties for a more effective operation within that department. He is proposing to hire a

Planning & Zoning Administrator to replace the Community Development Manager's position (Jane's position). The primary responsibilities of this position will be to administer and enforce land use regulations, staff the Development Review Board, assist the Director with grant writing and grants management; and assist the Director and the Downtown Manager with implementation of the department's work program. The Community Development Director (Jim's position) will move to the 2<sup>nd</sup> floor and work more closely with the Downtown Manager and City Manager on Grants, Brownfields, and Downtown Revitalization. Alderman Luneau stated that due to the fact that Jane Kiser is retiring, this situation creates an opportunity to explore the idea of not rehiring a full-time person to replace Jane, but rather subcontracting out the grant writing portion of that position in order to save money in the budget. Mr. Cloud explained that this is not the opportune time to be reducing the staff in this department since we have so much invested in the Downtown Revitalization of the City. He stated that he is not looking to hire a full-time grant writer but someone who will continue what we have set out to accomplish. Alderman Hawkins agreed with Alderman Luneau in that he feels we should take a closer look at this department and take this opportunity to see if it is necessary to fill the full-time position. He also stated that he doesn't want to "cut off our noses to spite our faces." He stated that it's worth looking into. Alderman Young commented that he would like to see a more detailed breakdown of what the responsibilities of each position would be. Alderman Peters said that it would be helpful to have an hourly analysis of what each position does on a day to day basis. Alderman Young said that, when looking at grants, you also need to look at grant management along with the grant writing. Mr. Cloud stated that he would provide the Council with more information.

- i. Adoption of Revised Policy for CIP Amendments (D&V). Mr. Cloud stated that there is one change on page 3 of the Policy—reduce the floor of inclusion amount from \$20,000 to \$10,000 to conform to GASB requirements. **A motion was made by Alderman Spooner; seconded by Alderman Young to adopt the revised CIP Amendments. Vote was unanimous.**
  - j. Department Reports—Mr. Cloud explained that he will be scheduling department reports at upcoming Council meetings to assess the departments as a whole as well as acquaint new members with the different departments.
8. Mayor's Report.
- a. Committee Structure—Mayor Manahan anticipates two subcommittees: Finance and Public Safety. The Mayor said he will be notifying the Council members within the next few days.
9. Clerk/Treasurer Report. Ms. Krupp reported that an educational seminar has been scheduled for new members and justices of the peace. It will be held on March 31 at City Hall. Jim Barlow, VLCT Senior Staff Attorney, will provide information for conducting effective grievances and property tax assessment appeals. She reminded everyone that dog licenses are due April 1. There will be a rabies clinic on Saturday, March 19, at Walkers. They will also be doing a chip program for the dogs. Alderman Hawkins asked Ms. Krupp whether she had an update on the lack of vault space. Mayor Manahan said that there is a need to create some ground rules for elections and if that doesn't work, possibly

adopt an ordinance that can be enforced. Discussion ensued about this issue in relation to the recent election.

10. Town Service Officer Appointment (D&V). Linda Ryan explained that 211 had taken over most of the Town Service Officer responsibilities but she would be happy to do it. **A motion was made by Alderman Peters; seconded by Alderman Luneau to appoint Linda Ryan as the Town Service Officer for a term of one year.**
  
11. Samaritan House Re-application for CD Funds (D&V). Linda Ryan explained that this is basically the same grant with the addition of the handicapped accessibility that was omitted in the original application. Alderman Peters asked where the additional \$70,000 is going to come from. She stated that the City will not be responsible for the additional amount. **A motion was made by Alderman O’Grady; seconded by Alderman Spooner to approve the Samaritan House re-application for CD Funds. Vote was unanimous.**
  
12. First Reading, Interim Bylaw Re: Conversion of Single Family Homes to Multi-Family Dwellings. Mr. Cloud explained that this is an introduction to a concept and gave an overview of proposed suggested revisions to the Proposed Interim Bylaw. In relation to Section B., Mayor Manahan asked how the issue would be addressed if an owner moves out of an owner occupied unit. Mr. Cloud stated that it would be enforced as a violation of the Land Use Regulations. Alderman Luneau expressed some concerns with this issue and felt that it could potentially hurt the Grand List. Alderman Luneau asked whether an inventory has been taken on the number of single family dwellings that were converted to multiple family dwellings. Mr. Tischler gave an overview of the technical aspect of the bylaw. Discussion and questions ensued between the Council and Mr. Tischler regarding the different aspects of the changes and how they would affect property owners. Alderman Young questioned why it’s being proposed as an interim document. Mr. Cloud explained that the recommendation came from the Chair of the Planning Commission. Alderman Luneau stated he has a problem with the owner occupied piece as well as the development review piece. He feels that it will encumber applicants wanting to do business in the City. He went on to explain his rationale behind why he feels this way. He stated that this was needed 20 years ago—but at this time, he feels it is a moot point. Mayor Manahan stated that as a Council we need to adopt a moratorium or “let the chips fall where they may.” Alderman Hawkins asked the Mayor whether the main reason for this moratorium is to address the issue of absentee landlords in the City. Mayor Manahan responded by stating that one of the ways the Council tried to address it was through the inspection program, which has been quite successful. The Mayor stated that he has received calls from residents living in low density resident districts that are concerned that their neighborhoods are turning into apartment complexes. He said they are trying to protect their neighborhoods and their property. Mr. Cloud asked the Council if they would like to see a draft of a moratorium. The Council agreed that they would like to see one.
  
13. Second Reading, Amendments to Land Use Regulations Re: Sunset Meadows, Fonda, and Definitions (D&V). Mr. Tischler gave an overview of the proposed changes and highlighted the areas on the zoning map. Discussion ensued between the Council and Mr.

Tischler regarding what the specific changes are and the locations within the City that will be affected. **A motion was made by Alderman Spooner; seconded by Alderman Peters to accept the Second Reading of the Amendments to the Land Use Regulations, as presented. Vote was unanimous.**

14. Public Hearing on 2012 – 2017 Capital Improvements Plan. **A motion was made by Alderman Spooner; seconded by Alderman Peters to open the Public Hearing on the 2012 – 2017 Capital Improvements Plan. Vote was unanimous.** Mr. Cloud explained that the public hearing was part of the process per state statute. Mr. Cloud gave a brief review of the Plan. **A motion was made by Alderman Spooner; seconded by Alderman Peters to close the Public Hearing on the 2012 – 2017 Capital Improvements Plan. Vote was unanimous.**
15. Council Adoption of 2012 – 2017 Capital Improvements Plan (D&V). Mr. Cloud explained that if the Council needs more time to review the Plan, they can vote to table this item. **A motion was made by Alderman Luneau; seconded by Alderman Hawkins to table the adoption of the 2012 – 2017 Capital Improvements Plan until its next meeting. Vote was unanimous.**
16. Financial Report (Peg Strait). Ms. Strait gave the overview of the General Fund financial status through the eighth month of the current fiscal year. Ms. Duffy gave an update of the Water and Wastewater status. She also informed the Council that the City is preparing for its annual tax sale for delinquent taxes. She stated that the delinquent utilities were also included in the tax sale if the property also had delinquent taxes owed.
17. Adoption of Road Specifications (D&V). **A motion was made by Alderman Young; seconded by Alderman Spooner to adopt the Road Specifications, as presented. Vote was unanimous.** Alderman Luneau asked whether this item is required to be aligned with state standards. Mr. Cloud responded that these specifications are needed to prove that we are in compliance with state standards in order to receive state funded grants. **Vote was unanimous.**
18. Warrants (D&V)
  - a. Payroll—2/16, 2/23, 3/2, 3/9  
**A motion was made by Alderman Spooner; seconded by Alderman Luneau to approve the Payroll Warrants of 2/16, 2/23, 3/2, 3/9. Vote was unanimous.**
  - b. Accounts Payable—2/24, 3/9;  
**A motion was made by Alderman Luneau; seconded by Alderman Peters to approve the Accounts Payable Warrants for 2/24 and 3/9. Vote was unanimous.**
19. Other Business. Ms. Strait stated that she needs the Council's signatures on a banking resolution from People's Trust. Alderman Luneau questioned whether the City is actually using the Segway and would like an opinion from Chief Taylor as to whether we need it or not. Alderman Luneau also requested that the City reconsider its party status in the DRB case of Martha's Kitchen. Mayor Manahan replied that, yes, the Segway does get

used and will most likely get used quite a bit this summer in the downtown area. Mr. Cloud stated that Chief Taylor will address this in his update of his department report.

- 20. A motion was made by Alderman Spooner; seconded by Alderman Peters to enter into executive session to include the City Manager to discuss civil matters, contracts, and personnel where premature disclosure would clearly place the City or person involved at substantial disadvantage. Vote was unanimous.**

Respectfully submitted,

Sarah Longley, Admin. Coordinator

APPROVED BY COUNCIL