

**St. Albans City Council
Minutes of Meeting
Monday, September 12, 2016
City Hall, Council Chambers**

A regular meeting of the St. Albans City Council was held on Monday, September 12, 2016, at 6:30 pm in the City Hall Council Chambers.

Council Present: Mayor, Elizabeth Gamache; Aldermen: Scott Corrigan, Chad Spooner, Tim Hawkins, and Alderwomen Tammi DiFranco & Kate Laddison.

Council Absent: Alderman Jim Pelkey.

Staff Present: Dominic Cloud, City Manager; Chip Sawyer, Director of Planning & Development; Tom Leitz, Director of Administration and Marty Manahan, Director of Operations & Business Development.

Visitors: See attached sign-in sheet.

1. Executive Session

- a. Purpose: discuss real estate development contract negotiations.
- b. First motion: the Council finds that premature disclosure of the above matters would compromise the City (D&V).
A motion was made by Alderman Hawkins; seconded by Alderman Spooner to find that premature disclosure of the above matters would compromise the City. Vote was unanimous, 6-0.
- c. Second motion: to enter executive session to discuss real estate purchase options and contract negotiations (D&V).
A motion was made by Alderman Hawkins: seconded by Alderman Spooner to enter executive session at 5:30 pm to discuss real estate purchase options and contract negotiations. Vote was unanimous, 6-0.
A motion was made by Alderman Spooner; seconded by Alderman Hawkins to exit executive session at 6:30 pm. Vote was unanimous, 6-0.

2. Call to Order and Pledge of Allegiance.

Mayor Gamache called the meeting to order at 6:35 pm and led the pledge of allegiance.

3. Public Comment.

Mayor Gamache asked for a moment of silence in remembrance of the late Bill Cioffi. In addition to serving as City Manager for a number of years, Bill dedicated his life to serving the public from his service in the military to his service to the community. Mayor Gamache stated that the impact that Bill has had on the community has been profound and he will be greatly missed. Community members will fortunately feel the impact of Bill's life for many years to come.

Barbara Weinstein introduced her granddaughters, Amalia and Chloe. Chloe thanked the Recreation Department and RiseVT for the musical instruments and hopes to see them installed in Taylor Park.

4. Proposal from Parks Commission for musical instrument installation in Taylor Park.

Tom Koldys of the Parks Commission introduced himself. He explained that the Parks Commission is seeking approval for the installation of 3 musical instruments in Taylor Park; a cadenza, a set of sambas and hand pipes. The proposed location for these instruments would be in the southeast corner of the

park. Mr. Koldys explained that RiseVT gave the Parks Commission \$6,000 for the purchase of the instruments and the Commission put a lot of thought into where they should be located. Mr. Koldys stated that the Commission was very mindful of the theme of Taylor Park and what it means to the community when considering locations for the instruments. They considered drawing attention to the south end of the park in a way that highlighted what was already there and not to diminish the value of the existing monuments. The installation brings the element of play without a playground and is handicap accessible. Items were chosen that are tasteful and aesthetically pleasing. Mr. Koldys stated that the loudest instrument chosen is the cadenza and provided a demonstration. The items add multi-faceted art, are permanently installed with concrete footings that would be taken care of by Pettinelli Associates and there would be no additional cost to the City for installation. Mr. Koldys explained that Pettinelli Associates covers all of New England in terms of recreational installations and believes this would be the first of its kind in the State of Vermont. The proposed location would minimize noise impact on any events taking place in the park and there are no residents living in the vicinity of the location. The Parks Commission is also working on coverings that could be placed over the instruments during services such as on Veteran's Day to avoid any disruptions. In the event that the location doesn't work out, the instruments could be easily relocated.

Mayor Gamache commented that it's a very interesting concept and different from any other feature in the park. She noted that the farmer's market expressed concern about when they have musical events in the park. Mr. Koldys noted that the hand pipes and sambas have a lower tone and would be difficult to outweigh the noise of speakers as they aren't amplified in any way. Mayor Gamache asked if anyone from the farmer's market approached the Parks Commission. Mr. Koldys responded negatively but stated that if it became an issue, they would use the coverings. Ms. Viens reiterated that she does not believe the instruments will be a conflict with any musical events orchestrated by the farmers market but if it's deemed that it is, the cover can be placed on the instruments until after the performances are over.

Mr. Corrigan asked if any maintenance is required. Mr. Koldys responded that there is a rope that attaches the mallets to the instrument which could potentially break but noted that the mallets are replaceable and the instruments are designed for outdoor climates. Mr. Spooner agreed that this is a great idea. Ms. Laddison seconded that notion.

5. Consider approval of proposal for installation of musical instruments in Taylor Park (D&V).

A motion was made by Alderman Spooner; seconded by Alderwoman Laddison to approve proposal for installation of musical instruments in Taylor Park. Vote was unanimous, 6-0.

6. Resolution in support of Municipal Planning Grant for Taylor Park Master Plan, Chip Sawyer (D&V).

Mr. Sawyer stated that when staff discusses adding a power outlet or looking at the lighting situation or the trash receptacles in Taylor Park, staff completes what needs to be done but there is this undercurrent of what the strategy or master plan is for the park. It's an idea that was picked up with the Tiger planning grant in 2011 and 2012 and some work was done but not much has happened since. Staff is proposing to use this year's municipal planning grant to fund a master planning process for Taylor Park. Mr. Sawyer explained that this idea has been run by the Parks Commission, the Planning Commission and the Downtown Board and has received consensual board support although no votes have been cast yet. It's a process where the City would hire a consultant and probably a landscape architect and come up with visuals and maps and a good guide of what to do in the park including short term and long term improvements. It would involve the 3 City boards, St. Albans rotary and the farmer's market and would be beneficial because of the public discussion that could take place. The grant maximum is for \$20,000 and staff would look at proposing something that falls within the budget of the \$20,000 grant plus what the City has budgeted in the General Fund for activities such as this.

Mayor Gamache asked if staff considered looking at all of the City parks comprehensively. Mr. Sawyer stated that in his opinion, based on the amount of money available, it would be best to focus on one park and believes Taylor Park is the best choice.

A motion was made by Alderman Spooner; seconded by Alderwoman Laddison to approve resolution in support of Municipal Planning Grant for Taylor Park Master Plan. Vote was unanimous, 6-0.

7. Update on Stevens and Rugg Brooks Flow Restoration Plans, Chip Sawyer (D&V).

Mr. Sawyer recalled that the City has the MS-4 permit for its stormwater system and the basis of that permit is the impaired status of Stevens and Rugg Brook. VTrans and the Town of St. Albans also have MS-4 permits. Under the current permits, the City has been given goals to reduce the amount of storm run-off that runs into these brooks during a storm event because the scientific thinking is that the sediments from the run-off is why the brooks don't have the invertebrate wildlife that you would expect to see in them. Mr. Sawyer explained that in 2012 when the MS-4 permit was issued, the City was given the deadline of October 1, 2016 to submit to DEC its ideas for what the plan would be to reduce the flows by 24% in Stevens Brook and 16% in the impaired Rugg Brook Watershed. A Stevens Brook plan was completed in 2012 and a Rugg Brook plan was completed early last year and these plans have been collaborative with the Town and VTrans. Staff hired consultants to look at the lay of the land, existing stormwater detention basins and places where the City might be able to augment those existing sites to treat more stormwater run-off. The City also looked at places where there is available land and the points where the stormwater system discharges into the brook. The consultants used models to then assume that if the City were to do these things based on what it knows now, whether or not it would meet those percentage reductions goals. Mr. Sawyer added that the City is only on the hook for what's in its portion of the watershed but the plan that will be submitted to DEC will include everyone's projects in the impaired watershed. The plan is very conceptual and there hasn't been a significant amount of landowner contact on some of these site. The plan will be submitted to DEC and will become the roadmap for what the City does next. Mr. Sawyer added that this is an important step in getting to actually accomplish some of the Best Management Practices. Mr. Sawyer referred to map in the Council packet which lists the installations in the City that the consultants have modeled and lists the conceptual estimates. At the moment, the City is looking at just over \$5 million and will need to look for funding next before contacting landowners and going to construction.

Mayor Gamache asked what the colors on the chart represent. Mr. Sawyer responded that the dark green represents the projects that can be done first, light green is phase 2, orange is phase 3 & 4 followed by red. Mr. Sawyer stated that the City may find that there is a very willing landowner and in that case a property further down the list could be pursued first.

Mr. Spooner noted stormwater separation on Fairfield Street and asked where that water is going. Mr. Sawyer stated that when the City does separation, it is going to have to start thinking about how it accounts for that flow that will be added to the brook. Future separation projects may have to have an element of flow restoration that happens down the pipe before that water discharges into the brook.

8. Consider GMP utility pole requests for Farrar and Church Streets, Chip Sawyer (D&V).

Mr. Sawyer explained that there are two requests from GMP; one is to replace 3 poles on Farrar Street where no double poles exist and has a lot to do with a house being built at corner of Farrar Street and Messenger Street. The other request is for Church Street. Mr. Sawyer stated that the pole across from 17 Church is a very old pole. Mr. Sawyer did let GMP know that there are some double poles on Church Street that the City expects to be removed very soon. He stated that he explained to GMP that when City Council approves a pole replacement, the expectation is that a pole will be replaced and not installed next to an existing pole. He added that the GMP contact is on it and seeing what she can do.

A motion was made by Alderman Spooner; seconded by Alderwoman Laddison to approve the two GMP utility pole requests for Farrar and Church Street. Vote was unanimous, 6-0.

9. Consider authorizing City Manager to sign loan to Jeff's Seafood for new carpet (D&V).

Mr. Manahan stated that the owner of Jeff's Seafood, Katie Lizewski is looking to replace the carpet in the restaurant and has asked the City if it would be willing to loan her money to get the job done. The cost to replace the carpet would be just over \$9200. Ms. Lizewski is looking for a 24 month repayment loan with a 2% interest rate. Mr. Manahan added that the project includes a new subfloor and new baseboards in addition to the carpet. Mr. Cloud asked Mr. Manahan if the request is part of a broader renovation. Mr. Manahan responded that Ms. Lizewski's goal is to move the bar out of main restaurant and relocate it to the wine shop area. Mayor Gamache asked if the funds would come out of the Revolving Loan Fund. Mr. Manahan responded affirmatively.

A motion was made by Alderman Hawkins; seconded by Alderman Spooner to authorize City Manager to sign loan to Jeff's Seafood. Vote was unanimous, 6-0.

10. Consider authorizing City Manager to sign façade grant with Keith Taruski for 45 Lake St. (D&V).

Mr. Manahan explained that Keith Taruski of 45 Lake Street is requesting a façade grant. The plans were approved by the DAB about two weeks ago. The City would enter an agreement with Keith Taruski similar to the one done with 12 South Main where the City would provide the labor and Mr. Taruski would purchase all of the materials.

A motion was made by Alderman Hawkins; seconded by Alderman Corrigan to authorize City Manager to sign façade grant with Keith Taruski for 45 Lake Street. Vote was unanimous, 6-0.

11. First Reading: An Ordinance Related to Commercial Building Inspection.

Mr. Cloud recalled that this topic has been discussed previously in passing but never been formulated. This is the introduction of a commercial building inspection program. Chief Taylor explained that he has been working extensively with Attorney Colin McNeil. When the new liquor ordinance was created, one of the things built into that was an inspection process which requires a tremendous amount of staff time. One of the things looked at is how to incorporate the buildings that should be inspected and making it fair for everyone. Chief Taylor explained that a landowner who has rental units pays \$100 per unit every four years for an inspection. If staff has to go back due to a complaint, the first visit is free and after that, the property owner is charged. When looking at the commercial building inspection program that the State took over in May, all of these things were taken into consideration. Chief Taylor stated that certainly commercial public spaces are much more utilized by the public and pose greater potential risk if they are not in compliance. Staff is proposing to conduct an inspection every 2 years unless there is a change of use or a private sale and will charge less for that. The intent was to make it fair for people that own multiple properties. The model proposed would charge \$125 every two years and would be taken over from the State. Also built into the ordinance process is the time of sale or change of use inspection which the City has been doing and thought it was important to codify that and include it in the ordinance. Last but not least is the inspection for the first class liquor licenses which states per the ordinance that they must be inspected 120 days prior to renewal of the license and in that case staff proposes charging \$75 because they have to be inspected every year. Chief Taylor stated that the City would be taking over what the State already does.

Mr. Spooner asked how often the State does their inspections. Chief Taylor responded that they are not very good about it and isn't sure. Mr. Hawkins added that we know the inspections are completed when a property is sold. Chief Taylor added that the City wouldn't be inspecting new construction, hospitals, schools, State or Federal buildings. Mr. Spooner asked if a business on the first floor of a building would

be treated differently if than upstairs apartments. Chief Taylor responded affirmatively and stated that there is specific language in the ordinance that talks about that scenario.

Mr. Hawkins stated that he thinks this is very valuable for the landlords to know that their buildings are up to code and for the people that are selling something other than a single family residence. Mr. Hawkins stated that he handles a lot of that in his career and there is always the problem of trying to get someone to inspect a property in a timely fashion. He believes that it is excellent that inspections can now be done in the City without having to call the State who could potentially have a 4-5 week waiting list. Chief Taylor stated that the City has had some real examples of disjointed inspections with buildings that have different uses on different floors. Chief Taylor stated that the City will have to inspect places like Mylan and the Co-op and their fee would be \$100/hour not to exceed \$500. Chief Taylor added that the national commercial fire building rate has decreased in this country again this past year because of better alarm systems, better sprinkler systems and better inspection programs.

Ms. Krupp asked if the liquor control board will expect to see proof of inspections prior to renewals of liquor licenses. Mr. Hawkins asked if a line could be added on the liquor license application to confirm whether or the inspection had been completed. Ms. Krupp responded affirmatively.

12. Consider motion to advance ordinance to second reading (D&V).
A motion was made by Alderman Spooner; seconded by Alderman Hawkins to advance ordinance to second reading. Vote was unanimous, 6-0.
13. Consider request to expand existing line of credit from \$1 million to \$2 million, Tom Leitz (D&V).
Mr. Leitz stated that this past year, staff came to council for three separate line of credits associated with City Hall, the purchase of a fire truck and other capital projects taking place this summer. Those three line of credits totaled \$6.75 million and are all expiring this month. During this process, staff looked at what is coming up in terms of capital projects in the future and thought it would be prudent to request an increased line of credit to \$2 million because the sidewalk project is envisioned as a multi-year project. Mr. Leitz explained that when the City bonds, it's a once per year deal and can only get cash at that one point. The line of credits allow for the City to finance projects short-term and are all through People's Trust Company with a competitive interest rate. The line of credit allows staff to ensure that the City's cash flow is adequate and that payments can be approved quickly. Mr. Leitz explained that the City's cash flow is very strong and ebbs and flows dependent on the payment of taxes and utilities. Mr. Leitz added that there is no cost to increase the line of credit unless the funds are used.
Mr. Hawkins asked where the line of credit would show up on the budget. Mr. Leitz responded that staff has not used it for anything except the capital projects and would see it in the monthly financials that get emailed to council. Mr. Leitz stated that in the budget the City budgets debt service which is paid that year and is long-term debt. Mr. Cloud stated that the debt service is a budgeted item but is not a free standing item.
A motion was made by Alderman Spooner; seconded by Alderwoman Laddison to expand existing line of credit from \$1 million to \$2 million. Vote was unanimous, 6-0.
14. Consider Approval of Minutes: Reg. Mtg. 8/8/16 (D&V).
A motion was made by Alderman Hawkins; seconded by Alderman Spooner to approve 8/8/16 meeting minutes. Vote was unanimous, 6-0.
15. Consider Approval of Warrants: 8/22/16 & 9/9/16 (D&V).
A motion was made by Alderman Hawkins; seconded by Alderman Corrigan to approve 8/22/16 warrant. Vote was unanimous, 6-0.

A motion was made by Alderman Hawkins; seconded by Alderman Corrigan to approve 9/9/16 warrant. Vote was unanimous, 6-0.

16. Other Business.

Mr. Cloud stated that as discussed earlier, there was a technical issue with the management contract and is seeking council's approval to restart the sub-committee of the Mayor and Councilor Hawkins to address that technical issue.

A motion was made by Alderman Spooner; seconded by Alderman Corrigan to allow Councilor Tim Hawkins and Mayor Liz Gamache to work out the contract issue with City Manager, Dominic Cloud. Vote was unanimous, 6-0.

Mr. Hawkins asked Mr. Manahan to provide update on the Fairfield Street construction. Mr. Manahan explained that box cutting is done from Church Street to Smith Street and hoping to get as far as Berkley Terrace before next week. Once the base coat is done, the granite curbs will begin and at that point, G.W. Tatro will continue the storm line up Fairfield Street. Contractors will then start on Church Street moving to Main Street and will then be paved. Curb and sidewalk will be in this year and next year VTrans will come in to pave. Mr. Hawkins asked Mr. Manahan to provide the timeline from Church Street to Main Street. Mr. Manahan responded that it's yet to be determined but will not tear the street up until there is confirmation that it will be paved this year. Mr. Hawkins stated that if it doesn't happen this year, it will become a spring project. Mr. Manahan responded affirmatively. Contractors will be off Main Street in a week and a half after finishing curbs and sidewalks and will then head to Lake Street with the hopes of being done by October 15th. Mr. Hawkins asked if traffic will resume to 2-way traffic on Lake Street in 2016. Mr. Sawyer responded affirmatively. Mr. Hawkins asked if it's correct that the only traffic that might be one-way traffic throughout the winter would be Fairfield Street. Mr. Manahan stated that it will be open to two-way traffic by winter. Mr. Spooner asked if it's correct that by next spring, staff is still anticipating that the intersection of Catherine, Lake, Federal and Market Street will be done. Mr. Cloud stated that it will be started in the spring and noted that staff has made tremendous progress on that in the last couple of weeks.

17. Adjourn.

A motion was made by Alderman Spooner; seconded by Alderman Corrigan to adjourn meeting at 7:19 pm. Vote was unanimous, 6-0.

Respectfully Submitted,

Kristen Smith
Community Relations Coordinator