

**St. Albans City Council
Minutes of Meeting
Monday, October 15, 2012
City Hall, Council Chambers**

A regular meeting of the St. Albans City Council was held on Monday, October 15, 2012, in the Council Chambers at City Hall at 6:30 pm.

Council Present: Mayor Elizabeth Gamache; Aldermen: Chad Spooner, Tim Hawkins, Aaron O'Grady, Richard Peters, Ryan Doyle and Jeff Young.

Council Absent: None absent.

Staff Present: Dominic Cloud, City Manager; Chip Sawyer, Director of Planning and Development; Peg strait, Director of Finance & Administration; Sarah Duffy, City Accountant; and Sue Krupp, City Clerk and Treasurer.

Visitors: See attached sign-in sheet.

Open Session

1. Pledge of Allegiance. Mayor Gamache led the Pledge of allegiance at 6:32 pm.

Mayor Gamache stated that agenda item # 4 regarding a Peddler's License would be discussed next, followed by agenda item # 2, Public Comment.

2. Public Comment.

Paula Kane introduced herself and expressed her opposition of the greenbelt parking ordinance. Ms. Kane explained that she lives on Farrar Street and the residents of Farrar Street have had no issues with parking on the greenspace. She doesn't feel the aesthetic reasons listed in the Messenger for enforcing the ordinance are necessary. Ms. Kane also stated that she believes it is overreaching by the City to take control over the greenspace that she maintains as a homeowner. She added that the paved part of Farrar Street is very narrow as are many other streets in the City and feels that the ordinance would pose a safety issue if more vehicles were to park on these streets. Mayor Gamache thanked Ms. Kane for her feedback and encouraged other residents to weigh in on the issue. Mr. Hawkins added that he received an email from Greg Pierce on Farrar Street who had similar concerns to Ms. Kane's.

3. Financial Report, Peg Strait.

- a. FY 12 Audit Update.

Ms. Strait stated that the audit was incredibly successful and it was Sullivan & Powers' second year as the City's auditor. She thanked staff, department heads and the Finance Department for their hard work and cooperation with the auditors and highly recommends that the City stay with this firm for at least three more 3-year contract terms. Ms. Duffy added that Sullivan & Powers has asked that the City draft and write its own financial statements next year which will be cost saving and in itself is a great honor.

- b. FY 13 First Quarter Financials.

Ms. Strait stated that all three funds performed very well after the first quarter and is similar to last year's performance. Looking at the General Fund, total revenue is currently at 31.5%

compared to 31.9% last year and expenses are at 23.8% compared to 26% last year. In terms of property taxes, there is just below 5% outstanding which is also similar to last year at this time. In terms of delinquent taxes; \$146,000 is owed for the 2012 tax year, \$30,000 for 2011 and \$3,000 for tax years prior. Ms. Strait pointed out that revenue items in excess of the 25% first quarter mark include police dispatch contracts, some of which are paid in full at the beginning of the fiscal year, and the Justice Center, which received two of its Department of Corrections grants in the first quarter. Also, in Recreation, Ms. Strait explained that \$30,000 in deferred revenue was booked as a result of the transition to modified accrual financial reporting.

On the expenditure side, Ms. Strait explained that there is an overage under Planning & Development capital due to the City Hall window project. The Franklin County tax and the Northwest Regional Planning also came in and are paid in full during the first quarter of each year. Ms. Strait added that the Police Department received two marked cars which was budgeted for but incurred some additional expenses to fit them up. There were also expenses under Public Works associated with the annual paving.

Ms. Duffy stated that for Water & Wastewater, the items billed out are at 25% because the first of four quarterly bills have been sent out thus far for the year. Today was the due date for the first bill. As of today, we have collected about 70% with \$300,000 outstanding. In addition to that, there is approximately \$40,000 in delinquent utilities. In the Water Fund, total water revenue is at 44.9% of budget and expenses are at 39.8% primarily due to work on the Fairfax Dam. Ms. Duffy further explained that the bottom line in the Water Fund is a small surplus of \$23,000 before considering a depreciation expense of \$61,000. In the Wastewater Fund, there is a more significant deficit after the first quarter because FY 13 is the first year that the City began to make payments on the loan for the wastewater treatment facility upgrade. Ms. Duffy added that these loan payments are due once per year in the month of September for the amount of \$250,000. These loan payments are included in the budget but just happen to fall at beginning of the year.

Mr. Peters asked if there were any grants received for the window replacements at City Hall. Mr. Sawyer responded that there were not and that the expense was included in the capital budget.

Ms. Strait stated that the Finance department has begun working on the 2014 budgets and are well ahead of schedule. Mayor Gamache added that the budget process is a very important way for the public to weigh in on priorities.

Mr. Young added that he cannot overemphasize the professionalism of the staff upstairs.

4. Peddler's License, Robert Lemieux (D&V).

Mr. Lemieux introduced himself and explained that he is a retired Building Trades instructor, seeking a peddler's license to sell "whirly-gigs" under his business, Vermont Wood Works. He explained that he already has a temporary permit to sell his products at Taylor Park during the Farmer's Market and is now looking to build his business. Mayor Gamache stated that it is her understanding that Mr. Lemieux is looking to obtain a peddler's license to vend between 10 a.m. – 2 p.m. any day of the week in the park. It is also her understanding that Mr. Lemieux would place his table and all other items on the grass, off the sidewalk and provide a mat over the grass where he will stand while selling. In addition, Mr. Lemieux is requesting a peddler's license

that would expire on 4/30/13, at which point he could re-apply. Mr. Lemieux added that he would operate at least 100 feet away from the Farmer's Market since he has no association with them and spoke with the Farmer's Market who had no issues. Mayor Gamache asked Mr. Lemieux how much lawn space he would need. He responded that he would need a 10'x10' space. Discussion ensued surrounding the possible effect this would have and the future of the park if Mr. Lemieux's license was approved, as it could create an atmosphere where vendors would be set up daily to sell goods and may not be the best fit for the park. Mayor Gamache added that it is a sign of interest that activities are happening Downtown and is important to think ahead to how many future applications might be received and appropriate pricing and size limits as this would set a precedent. Mr. Peters stated that Council could possibly consider approving Mr. Lemieux's peddler's license only during the days and hours that coincide with the Farmer's Market. Mr. Young stated that although it would be easier to have all interested peddler's join the Farmer's Market, they unfortunately limit the amount of vendors they accept. Mr. O'Grady stated that he would prefer that vendors did not compete with the Farmer's Market. Mr. Lemieux responded that he would not mind applying through the Farmer's Market to operate under them. Mayor Gamache stated that she would like the Downtown Board to explore this issue further as she would not want to dismiss something that would contribute to the vitality of the Downtown. Mr. Young suggested that Council table the item to allow Mr. Lemieux to attempt to apply for a permit through the Farmer's Market and leave an opportunity for him to come back before Council if that avenue proves unsuccessful. Mr. Doyle asked Mr. Lemieux when his temporary permit will expire. Mr. Lemieux responded that it already expired on October 8th and has no plans to operate his business during the fall/winter months.

A motion was made by Alderman Young; seconded by Alderman Hawkins to table peddler's license for Robert Lemieux. Vote was unanimous, 6-0.

Mr. Hawkins asked that Public Comment be addressed next.

5. Consider extending all Downtown Board terms to December 31 of the term expiration year (D&V).

Mayor Gamache stated that the terms for Downtown Board members are currently set to expire in November and moving them to an expiration of December 31st would help simplify the management of that process, with a more streamlined approach. Mr. Doyle asked if that would create an abundance of openings at the same time. Mayor Gamache stated that it certainly would bring more people together for review and would have its tradeoffs. She further stated that she imagines different board members could meet and be interviewed at different meetings to break up the process. Discussion ensued regarding the timeframe of when to hold meetings for appointments so as to avoid any lapse between expiration dates and new appointments. Mayor Gamache stated that if need be, council could hold a separate special meeting for board appointments. Mr. Hawkins stated that it should be quite manageable in December. Mr. O'Grady agreed that the consistency would make it easier for staff. Mayor Gamache stated that we will continue our practice of advertising the positions and start that process in November. Mr. Sawyer stated that due to the timing of monthly meetings, appointments for the Downtown Board and Planning Commission could be done in January. Mayor Gamache stated that she would like to avoid that but it could create some breathing room if needed. Mr. Young stated that he would like to discuss the prior informal adoption process further and decide if that is the process that will be used in the future. Mr. Doyle asked if any of the candidates had any feedback from that meeting. Mayor Gamache stated that she did not receive any negative feedback and overall the process seemed to be favorably received.

She further stated that the appointment process itself can be discussed before any appointments are made.

A motion was made by Alderman Spooner; seconded by Alderman Young to extend all Downtown Board terms to December 31, 2012 of the term expiration year. Vote was unanimous, 6-0.

6. Recess for Liquor Control.

A motion was made by Alderman Spooner; seconded by Alderman O'Grady to recess out of regular session and commence as Liquor Control Board at 7:07 p.m. Vote was unanimous, 6-0.

7. Update on Streetscape Project, Chip Sawyer.

Mr. Sawyer stated that the Streetscape construction in the fall of 2012 has focused on the eastern block between Congress and Bank Street. Construction will cease next month and begin again in the spring along the entire length of the project. The City is hopeful that the project will be completed by September 2013. Mr. Sawyer added that the project is on schedule and going smoothly and staff has received very little in the way of complaints. There has been some significant underground work for the water/sewer services and the granite curbing is being installed on the surface. Mr. Sawyer stated that later this week, the remaining section of sidewalks will be replaced with a packed gravel surface and new concrete will be poured during the next two weeks. Mr. Sawyer stated that the entire section should be completed by November 18th. Mayor Gamache asked Mr. Sawyer to speak about what would take place on this section after November 18th. Mr. Sawyer responded that the lighting will be installed this winter as it arrives and the trees will be planted in the spring. Mr. Spooner asked if the project will take place block-by-block going forward. Mr. Sawyer responded that it is possible the block-by-block approach will work best but hasn't discussed the detailed sequencing yet with the contractors.

Mayor Gamache asked Mr. Sawyer how the public can learn more about the Streetscape project. Mr. Sawyer responded that sources of information include the Downtown Facebook page (www.facebook.com/downtownstalbans), the City's website (www.stalbansvt.com/streetscape), updates from the City's twitter account and in addition, businesses will receive flyers as the phases proceed which will include contact information for Mr. Sawyer and the construction engineer, Ruggiano Engineering. Mayor Gamache stated that for those who are not connected electronically, you can call City Hall and added that the Messenger has done a great job with coverage on the project. Mr. Spooner asked if there was any consideration to work at night to reduce the disruption during business hours. Mr. Sawyer responded that there are a lot of residents that live in the second and third floors of the buildings. Mr. Young added that it would also increase the cost substantially.

8. Discussion of Election Day TIF Outreach Efforts, City Manager.

Mr. Cloud stated that the vote for the debt ceiling authorization will take place on Election Day for the Tax Increment Finance district and reiterated that it does not actually issue any debt but is just a conceptual approval of the program. Mr. Cloud added that this is a very important tool and will allow the City to move forward with some high priority public improvement projects without raising taxes. Mr. Cloud stated that the City's TIF application to the State forecasts approximately \$80,000,000 in new taxable values coming into the City which translates into roughly \$46,000,000 in tax increment. He is asking the voters to approve a debt ceiling of \$43,000,000 and if approved, each project would then be brought back before the voters for

individual approval. Mr. Cloud added that staff is and will be providing some education and outreach to better explain the concept and includes two documents that will go out to residents by mail. In addition, there is a 7 page FAQ sheet that will be posted on the City website tomorrow and will be publishing those questions via the messenger, FPF (Front Porch Forum) and relative distribution lists. All of these materials will also be available for council to campaign in their individual wards. Mayor Gamache stated that council members are encouraged to help raise awareness within their wards and stressed the importance of voting “yes” on ballot item number one which will help change the future prosperity of the City of St. Albans. Mr. Cloud added that we are required to hold two informational sessions by State law. He is envisioning one on Monday the 29th at 6:30 pm as a special meeting and a second session on Saturday, November 3rd at 9:00 am. Mr. Hawkins asked if we could televise those meetings with the ability for call-ins. Discussion ensued over the best location to hold the informational meetings. Mayor Gamache added that she encourages people to call anytime with TIF questions. Mr. Young stated that he is worried a lot of residents have voted already prior to having the opportunity to attend these informational meetings on TIF. Ms. Krupp stated that as of today, she has sent out 297 absentee ballots and received 157 back. Mayor Gamache reiterated that each project will come back for individual approval and feels this is of appropriate scale for our community. Mayor Gamache added that she will be holding office hours at City Hall on Saturday the 27th from 8 a.m. to noon.

9. Authorize City Manager to prepare and release RFQ/RFP to design Taylor Park Fountain improvements (D&V).

Mayor Gamache explained that in order to keep the momentum going to restore the fountain, we need to take the next step. Mr. Cloud stated that we do not know what it will take to fix the fountain but need to proactively engage in the design phase to determine what needs to be done to complete the work. Mayor Gamache stated that we received an earlier estimate but need to dive further into the project and obtain some expert opinion. Mr. Cloud added that we can begin to prepare some documents to get out into the marketplace to determine who would be best suited for this project. Mayor Gamache explained that this will also enable the City to move forward with fundraising efforts. Mr. Doyle asked Mr. Cloud if we anticipate any other revenue sources such as grants. Mr. Cloud responded affirmatively. Mr. Young stated that he was pleased to hear the City Manager come up with this idea because once the detail of the fountain was looked at upon initial inspection it showed us that we fundamentally need to find a way to run the fountain to be more functional. He stated that the base needs to be rethought completely to address issues of water circulation and plumbing. He added that he has done some outreach to the restorative community and stated that there are some people with experience in this type of work. Mr. O’Grady stated that we should also consider looking into an annual maintenance plan. Mayor Gamache provided a brief update on the history of the fountain and explained that it was a gift to the City by the late Governor Smith in the late 1800’s. She added that it was given to the City during a period of decline and was meant to be part of a community wide beautification process. Mr. Young added that next year will be its 125th anniversary.

A motion was made by Alderman Peters; seconded by Alderman Young to authorize City Manager to prepare and release RFQ/RFP to design Taylor Park Fountain improvements. Vote was unanimous, 6-0.

10. Other Business.

Mayor Gamache stated that Chief Taylor reported that he has filled all vacancies in the Police Department. She also stated that she has met with several classes at the St. Albans City School from third grade to eighth grade and the seventh and eighth graders reminded her that they are interested in helping out with energy efficiency items for the City. In addition, they had some questions about the skate park discussion from last year. Mayor Gamache explained that the third through sixth graders expressed the importance of sidewalk maintenance.

Mr. Hawkins stated that two people contacted him and asked why the sidewalk from the corner of Brainerd to High Street was replaced when it was just replaced a couple of years ago and that it could have been better used in the location of Brainerd to Rublee Street where no recent maintenance has taken place. Mr. O'Grady asked Mr. Cloud if he and Allen Robtoy, Director of Public Works, were working on a schedule for sidewalk repair. Mr. Cloud responded that the only schedule that exists is through the end of this fiscal year and the remainder is yet to be determined. Mr. Young added that there are, however, some streets scheduled for the design phase. Discussion ensued about what it would take to create a master schedule including all streets in the City that need sidewalk, curb and associated drainage repair and/or maintenance. Mayor Gamache stated that we need to discuss what our cycle is and our budget for moving forward. Mr. Spooner added that we may have another tool at our disposal as he believes the City School may get involved with a program called Safe Routes to School. Mr. Hawkins added that the covering is coming off the fence at the City property located at Fonda and there are parking meters at the court house that are starting to tilt.

Mr. Young stated the flagpole project is complete and November 11th will be the official raising of the flags during the Veteran's Day services. Mr. Young added that the veterans funded four of the seven poles. In addition, a large Norway maple will be coming down in the park due to severe rot.

Mr. Doyle commented that the Barlow Street Park has been completed and looks nice except for piles of rubble left behind and asked when they would be removed. Mr. Cloud responded that it will be removed soon.

Mr. Peters asked if the Elm Street Crossing would be completed this year. Mr. Cloud stated that the State has said it is in the queue for next year.

11. Warrants 9/19/12 & 10/3/12.

A motion was made by Alderman Spooner; seconded by Alderman Young; to approve warrants from 9/19/12 and 1/3/12. Vote was unanimous, 6-0.

12. Regular Meeting Minutes 9/10/12.

A motion was made by Alderman Young; seconded by Alderman O'Grady; to approve regular meeting minutes from 9/10/12. Vote was unanimous, 4-0 with Aldermen Peters and Doyle abstaining.

13. Special Meeting Minutes 9/27/12.

A motion was made by Alderman Young; seconded by Alderman Spooner; to approve special meeting minutes from 9/27/12. Vote was unanimous, 4-0 with Aldermen O'Grady and Peters abstaining.

14. Adjourn.

A motion was made by Alderman Young; seconded by Alderman Spooner at 8:03 pm to adjourn meeting. Vote was unanimous, 6-0.

Respectfully Submitted,

Kristen Knoff, Admin. Coordinator

Approved by Council