St. Albans City Council
Minutes of Meeting
Monday, December 9, 2013
City Hall, Council Chambers

A regular meeting of the St. Albans City Council was held on Monday, December 9, 2013, in council chambers at City Hall at 6:30 pm.

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

Council Absent: Alderman Jim Pelkey.

Staff Present: Dominic Cloud, City Manager; Sue Krupp, City Clerk and Treasurer; Chip Sawyer, Director of Planning & Zoning; Martin Manahan, Director of Business Development and Peg Strait, Director of Finance and Administration.

Visitors: See attached sign-in sheet.

1. Executive Session.

   a. To discuss contracts where premature disclosure would compromise the City or person involved.

   A motion was made by Alderman Hawkins; seconded by Alderman Young to enter Executive Session at 5:30 pm. Vote was unanimous, 6-0.

   A motion was made by Alderman Young; seconded by Alderman Hawkins to exit Executive Session at 6:25 pm. Vote was unanimous, 6-0.

2. Pledge of Allegiance.

   Mayor Gamache called the meeting to order and led the pledge of allegiance at 6:30 pm.

   Mayor Gamache noted that she would like to amend agenda item # 10 to include an appointment to the St. Albans Housing Authority.

3. Public Comment.

   Sue Prent introduced herself and stated that she would like to provide a status on the Smith House/Owl's Club appeal. She noted that the Messenger headline a week and a half ago was misleading as the judge did not okay demolition, but simply did not extend the stay of demolition. No final decisions have been made on any aspect of the appeal. She explained that the judge relied solely on the Conner's expert's assertions about the cost of rehabilitation but will have an opportunity to present their expert witnesses at the trial which will take place in late spring or summer. She added that the judge advised the Conner's that if they choose to assume that they will win the case and prematurely demolish the historic house to begin their project, they do so at their own risk. The judge advised them instead to use the interval before the trial to go about the work of satisfying the other requirements with regards to historic buildings that are codified in the by-laws.

   Peter Ford introduced himself and expressed that he believes the discussion of the Maiden Lane parking configuration listed on the agenda is premature given the fact that the Smith House is still under consideration by the Environmental Court.

   Mr. Hawkins thanked Mayor Gamache for her article in the Messenger which commended the City Police. He added that no matter what the outcome of tomorrow's vote is, his confidence in the City

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Police Department will not be shaken. He commended the department for their ability to adapt to the community and profound professionalism and organization.

Mr. Young thanked Pauline Cray and all of the volunteers who made the Festival of Trees a success this weekend.

4. Presentation of FY 13 Audit (Fred Duplessis, Sullivan & Powers).

Ms. Strait introduced Fred Duplessis, a partner with the accounting firm, Sullivan & Powers of Barre. She noted that this is the City's third year working with the firm. Mr. Duplessis explained that their role is to report whether the City's financial statements were in accordance with the General Accepted Accounting Principles. He reported that the City's statements were in accordance and thus able to issue an unqualified, clean opinion for the third year in a row. Mr. Duplessis explained that the Management's Discussion & Analysis in the audit is a narrative form that provides a recap of everything that happened during the year.

Mr. Hawkins asked Mr. Duplessis to comment on the term, "depreciation expense" for Water/Wastewater. Mr. Duplessis responded that the accounting for Water/Wastewater mirrors what is done for a for-profit business except the depreciation for a municipality is not tax motivated. He explained that when assets are purchased, the Finance Department will assign a certain length of time in which those assets will be used and is expressed using a depreciation expense. Mr. Hawkins questioned the accuracy of using a depreciation expense. Mr. Duplessis responded that the difference is that for governments, depreciation expense is needed to adjust assets' lives to conform to what its experiences with those assets. He further stated that the firm evaluates each year whether the lives being used are consistent based on the level of care the municipality takes for its assets. Mr. Duplessis explained that for 2013, the City increased its net assets in both funds in spite of the depreciation.

Mayor Gamache expressed her appreciation for the successful completion of the audit and for the financial reports that council receives on a monthly basis. Mr. Young seconded that notion and commended the Finance Department for their phenomenal work and professionalism.

5. City Hall Draft Renovations Proposal (City Manager & Laz Scangas).

Mr. Cloud noted a renovation plan that was first discussed in 1981, expressing the need for new public restrooms, improved meeting areas, handicap accessibility, code compliance, improved heating/cooling and overall efficiency. Mr. Cloud stated that City Hall has reached its capacity in the vault located in the City Clerk's office; all of the heating/cooling ventilation systems have reached the end of their useful life and the building is not handicap accessible. Laz Scangas was charged with forming the plan to renovate City Hall. Mr. Cloud reiterated that council adopted in their recent goals and objectives that staff should develop a renovation plan including necessary physical renovations and financial feasibility. He added that the conversation tonight only focuses on a plan to renovate and will have subsequent conversations about funding at a later time. The renovation plan was developed with the priorities of ADA compliance, addressing the vault shortage, increasing the viability of the auditorium for community performances, addressing useful life issues surrounding mechanical systems and improving the efficiency of the workspace.

Mr. Scangas displayed a drawing of City Halls' current layout. He then displayed a drawing of the proposed renovation which includes a second adjoining vault located in the City Clerk's office, an elevator, additional bathrooms and larger stage in the gym area, added office space, a more conventional layout on the second floor with added storage and ADA compliant features. Mr. Scangas presented three different estimates. The first estimate is just shy of $41,000 to reconfigure the entrance stairway. The second estimate includes City Hall itself excluding the gym and includes masonry outside, windows, mechanical/electrical, lighting upgrades and the cost of the vault and came in at $1,315,166. The final estimate for the gym came in at $570,260.

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Mr. Young asked Mr. Scangas if the $261,000 figure for mechanical included replacing the heating system. Mr. Scangas responded that it includes upgrades for heating, ventilation, new plumbing and air conditioning.

Mr. Spooner noted that it seemed like there would be fewer offices upstairs. Mr. Scangas responded that every employee has been accounted for and office space has been reorganized upstairs but none has been lost. Mr. Spooner asked if renovations would be encroaching on the gym court. Mr. Scangas responded affirmatively that there would not be a full size court according to the proposed plan. Mr. Cloud stated that staff can ask the Recreation Director to speak on behalf of the needs of the gym to determine if the full court is needed. Mr. Spooner commented that he would be disappointed to see the full court go. Mayor Gamache emphasized that this is council's first view of the proposal and not taking any action at this point. Mr. Scangas stated that the focus was to determine how to make the space function better, be more useful and to meet codes with some of the deficiencies the building has. Mayor Gamache also agreed with Mr. Spooner that it is important to have a location for basketball in the community but might drive discussions that there are other basketball courts located in the City that could be more fully utilized.

Mr. Doyle asked Mr. Scangas to repeat the reason for not expanding the second story over the new council chamber. Mr. Scangas responded that it was not expanded because there wasn't a need for the space but could be expanded in the future. Mr. Doyle asked if the council chamber would be the same size under the proposed plan as it is now. Mr. Scangas responded that it will be just slightly larger. Mr. Doyle noted that the door exiting to the alley will be lost as another egress point and also noted the additional staircase that would be added in the rear of the gym to exit the outside through the basement. He commented that the newly proposed egress seems convoluted and asked if it was possible to keep the egress into the alley. Mr. Scangas responded negatively because there must be a certain distance between egresses.

Mr. Young asked Mr. Scangas if the acoustic quality in the gym was addressed. Mr. Scangas responded that the cost of electronics has been included in the estimate. Mr. Doyle asked if staff has determined whether the proposal for the gym would allow adequate space for voting and accommodate potential growth. Mr. Scangas responded affirmatively.

Mayor Gamache asked Mr. Cloud what council can expect next. Mr. Cloud responded that the goal is to present the proposal to council for feedback and will take some of the ideas given into consideration before coming back before council with a revision and to discuss funding options. Mayor Gamache opened the floor for public comment.

Mr. Ford expressed his concern that the proposal did not include enlarging council chambers. Mr. Cloud responded that the reasoning was to not encroach on any additional space in the gym than is needed and when a larger public meeting space is in demand, the gym will serve as a meeting space. Ms. Prent asked if the use of pocket doors could be incorporated between the council chamber and gym so that the space could be expanded into the gym if needed. Mr. Scangas responded that that is an option that could be considered. Mr. Bean asked if there was any reason why the elevator proposed would not service the basement area. Mr. Scangas responded that the basement is not intended for public use. Mr. Bean commented on the vast amount of unused space that exists in the basement. Mr. Scangas responded that they did not categorize that space as being functional as there are no windows and floor heights do not meet code. Mr. Dermody commented that he liked the suggestion of pocket doors raised by Sue Prent.

Ms. Krupp asked Mr. Scangas if the proposed vault would be doubling in size. Mr. Scangas responded affirmatively. Ms. Krupp proceeded to ask Mr. Scangas if the office space in the Clerk's office would also be expanding. Mr. Scangas responded that the front counter would be pushed into the hallway to allow

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for more useable space. Mr. Young noted the at-grade access to the elevator in the front of the building and asked Mr. Scangas if he was able to incorporate that entry artistically so not to spoil the front of City Hall. Mr. Scangas responded that the window that exists there now will remain with a door installed below it. Mr. Young asked if an exterior elevator tower would be feasible. Mr. Scangas responded that he would not recommend it. Mr. Spooner asked Ms. Krupp if every piece of paper recorded needed to be kept on file. Ms. Krupp responded affirmatively.

Mr. Bean noted the poor acoustics in the lobby of City Hall and questioned whether the proposed window in the City Clerk's office would allow for privacy when conducting business. Mr. Scangas responded that most of the Clerks' offices in municipalities throughout the state have a separated window for security.

Mr. Doyle asked whether there were any concerns for winter maintenance with having the front stairway exposed to the elements. Mr. Scangas responded that the design was for aesthetic purposes only. Mr. Young asked Mr. Cloud what to expect next in terms of a timeline. Mr. Cloud responded that being a potential $1.8 million project, staff could spend time determining finance options or could go back to the drawing board if council doesn't accept the proposal presented.

6. Recess for Liquor Control (see separate agenda).

A motion was made by Alderman Doyle; seconded by Alderman Young to adjourn from regular meeting and convene as liquor control board at 7:08 pm. Vote was unanimous, 6-0.

7. DRB Interview: Peter Ford; Michael Gawne; Megan Manahan; Gerry Muehl; Michael Walsh.

Mayor Gamache welcomed the candidates and explained that they would each be asked a series of questions which they all received prior to the meeting. She noted that after the meeting, a discussion would take place amongst council during Executive Session and appointments will be made during an open session at a later meeting. Mayor Gamache asked each candidate to introduce themselves and proceeded to ask the following questions.

1. What has motivated you to apply and serve on the DRB?
2. What experiences in your background have influenced your desire to serve on this board?
3. What contributions do you think you will make to the board?
4. What are the qualities of a successful Development Review Board?
5. What is your vision for the DRB?

a. Gerald Meuhl
   1. He has spent time purchasing and improving homes in the City and has learned a great deal about zoning in the process.
   2. He has a lot of experience working with the DRB in St. Albans as well as in the State of New York.
   3. He must follow policies and procedures in his current job and would carry that experience over to this board.
   4. Qualities of a successful DRB include a group of people that are willing and able to work together.
   5. He believes the DRB should be more involved in encouraging businesses to open to support growth.

b. Michael Walsh
   1. He has been on the board for a number of years and would like to continue serving the community.
   2. Being a property owner and going through the process has influenced him to serve.
   3. Worked at VSAC for many years and has great organizational skills.

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4. He agreed that someone with a legal background would be beneficial on the board but also believes it is important that the board represent typical homeowners.
5. His vision is for the DRB to continue doing what it has been doing.

c. Michael Gawne
1. He has always been interested in planning and zoning and did a 2 month internship with a town in Michigan. He majored in Geography at Middlebury College and did his senior thesis on open space planning in Montreal. After law school, he has spent almost 40 years working in law and has represented many municipalities who have gone to Environmental Court. He also has experience on the Zoning Board of Adjustments. Mr. Gawne would like to be on the board specifically because he has noticed deterioration in residential neighborhoods and believes he could add to the process by helping to protect the neighborhoods while still encouraging appropriate development.
2. He stated that the question was answered in his previous response.
3. He believes he has an advantage as a lawyer and could help determine what the procedures and what the evidence are. He also has common sense.
4. Common sense, collaboration, respect for one another's beliefs and opinions.
5. He believes the DRB should encourage appropriate development and mitigate whatever adverse impacts there may be so that appropriate conditions can be proposed and negative impacts be minimized.

d. Megan Manahan
1. She has enjoyed her time on the board and finds the topics that come before the board to be very interesting.
2. She attended law school with a focus on planning and zoning. In addition, she has worked with many clients and municipalities which have given her a basis for seeing how the board operates in comparison to other municipalities.
3. She has legal experience as well as experience already sitting on the board.
4. She agrees that debate is healthy and emphasized that respect amongst the board members is important. She added that the qualities of a successful board are one where members can have a healthy discourse and express their differences in opinion in a respectful manner.
5. Her vision is for the board to comply with legal aspects to enforce regulations as well as being open-minded and respectful to applicants while representing the City.

e. Peter Ford
1. He has been serving on the DAB and would like to serve on both the DAB and the DRB. He believes there should be more coordination and is a lack of communication between the two boards to the detriment of the approval process. He added that there have also been instances where questions that should have been asked at the DRB level were not asked. He would like to contribute toward eliminating controversies that have risen by being as thorough as possible. Mr. Ford also mentioned that he has no conflict of interest.
2. He has worked on zoning and planning issues for the past 20 years and more importantly has been involved in environmental issues and architectural site planning for most of his life. He believes he has an eye for the aesthetics of a project and is qualified for the position.
3. He would contribute toward having healthy debates, illicit difficult information and would put the applicants to the test.
4. He believes it is particularly important that in the public arena there be the kind of questioning and question making that provides the most access to information.

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5. His vision is to see a comprehensive zoning and planning process whereby all aspects of projects are public. He would also like to see the planning office communicate more with the council.

Mayor Gamache thanked the candidates for attending and reminded the public that there will be three open seats subject to reappointment as of December 31st and two alternate positions. She stated that a decision would be made at a future meeting.

Ms. Prent expressed her concern over a conflict of interest with Megan Manahan being reappointed to the board. She believes Ms. Manahan should not be reappointed as she is related to a current board member as well as being related to an applicant of a recent controversial finding where she did not acknowledge the conflict of interest or recuse herself from the discussion.

8. Maiden Lane Parking Configuration (MaryPat Larrabee, St. Albans Free Library; Mike & Fred Connor, Connor Construction) (D&V).

Mr. Young and Mr. Hawkins both asked for an explanation of what it is that council is being asked to consider tonight. Mr. Cloud responded that procedurally, the DRB considered a development application and their authority begins and ends with the property boundaries. The Conner's and the library would like the City to allow an alternative use of their private land and the public right-of-way in order to maximize the use of the parcels and to maximize parking spaces. Mr. Cloud explained that there will be the argument that no action should be taken until the Environmental Court makes a judgment. There is also the argument that the City has the right on its own motion to reconfigure the parking anytime. He further stated that if that authority proceeds, it will be referred to a Development Review program and if and when appealed, it can be consolidated into the overall development review which is being conducted by the Environmental Court. Mr. Cloud stated that a decision to support the proposal tonight is not an endorsement of the Conner's project.

Mike Conner introduced himself and MaryPat Larrabee from the library along with his brothers, Fred, Steve and Jon Conner. Mr. Conner acknowledged meeting minutes from the June 10th council meeting which read, "The Conner Group agrees to complete all necessary construction for 10 parking spaces at their sole cost as shown on the site plan. The City agrees to provide a perpetual right to use 5 northernmost spaces. The City agrees to provide a 10 year license to use the 5 northern most spaces at no cost. After 10 years, the City reserves the right to charge the Conner Group prevailing rates for long term, on-street parking. The City agrees to plow the 5 northernmost spaces at the same time as the rest of Maiden Lane. The Conner Group agrees to complete all necessary construction for sidewalks as shown in the site plan. The sidewalk will be privately owned, constructed and maintained. The City will be granted an easement for public use. The City will include the sidewalk in customary plowing of the sidewalk network." Mr. Conner stated that the above statement would be true for the frontage of the proposed property as well as for the frontage of the library. He proceeded to present the existing conditions plan for the proposed development as well as for the library.

Mr. Conner presented the proposed plan which shows the 10 parking spaces in front of the project site as well as 6 parking spaces using the same theme developed on Main Street and the same streetscape design down Maiden Lane in front of both properties. Mr. Conner explained that although the library would not be gaining any additional parking, the proposed plan would provide a safer parking configuration and the overall project would provide a homogeneous landscape and overall consistency. Mayor Gamache asked Mr. Conner if he could be specific in regards to the elements that would carry over from the streetscape on Main Street. Mr. Conner responded that they are proposing building-mounted lighting, street trees, and a landscape design for the front of the library which would include many shrubs, plants and new sidewalks. He added that the current paved frontage of the library would

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transition into a beautiful landscaped entrance into the historic building. The Conner Group has agreed to manage the construction work in front of the library at no cost to the library or the tax payers.

To again recap the high points of the June council meeting, Mr. Conner summarized that the Conner Group would build 10 parking spaces at roughly $3,000 a piece and own 5 for a period of 10 years in exchange for the investment they are putting forth. After the 10 -year period, the Connor Group would be charged whatever the prevailing rates are for on-street parking. Mr. Conner noted that they had previously discussed leaving the remaining 5 parking spaces as public 2 ½ hour parking and explained that the library has interest in dedicating those spaces for patrons of the library, making a total of 11 parking spaces that the library would directly benefit from. Mr. Conner stated that when vehicles are parked on either side of Maiden Lane, there is a 13' clear aisle. When library patrons are parked on the westerly side of the street, it poses safety issues with vehicle doors opening into traffic and reducing the width of the travel lane even more. Under the proposed plan, Mr. Conner stated that the width of the travel lane would increase from 13' to 21' and is supported by the Fire Department. Mr. Spooner asked Mr. Conner if there would be a handicap parking space reserved for the library. Mr. Conner responded affirmatively and stated that there would be one on the north end as well as one on the south end.

Mr. Conner explained the timing for coming in front of council tonight. He stated that after real estate transaction was completed, the Conner Group wanted to come before council but was told they must go before the DAB and DRB first. After the DAB signed off on their project, and after the DRB gave the Conner Group their approval, they came before council in June at which time the item was tabled. The library must go through the same process and Mr. Conner explained that it would be beneficial for the library permit timeline to be parallel with the Conner's so that come spring, all of the work can be done in sequence. Mr. Spooner asked Mr. Conner if there is a sidewalk that would connect from the back lot to the front of the library. Mr. Conner responded negatively but stated that it could be revisited.

Mayor Gamache opened the floor to MaryPat Larrabee of the library. Ms. Larrabee explained that there has always been a concern over the lack of parking for the library. She explained that when the Conner's first proposed their plan for diagonal parking, she felt that configuration would not be compatible with the few parallel parking spaces in front of the library on Maiden Lane and with the "U" shaped parking directly in front of the library. After much communication with Mr. Conner, Ms. Larrabee explained that a more suitable parking configuration would be to have diagonal parking designated for library patrons in front of the library with diagonal parking continuing down Maiden Lane in front of the Conner's project. She stated that she has the utmost confidence in the Conner's and that Mr. Conner has been extremely helpful and supportive of the library.

Mr. O'Grady commented that from a safety standpoint, he believes the proposal seems to be a good fit. Mr. Doyle stated that he parks on Maiden Lane frequently and strongly believes the library is in need of a better parking configuration. He commented that from the perspective of a sidewalk plow driver, he believes it would be hard to maneuver based on the proposed plan. Mr. Doyle asked Mr. Conner if the parking spaces are at a 75 degree angle or a 60 degree angle. Mr. Conner responded that he did not know and that Ruggiano replicated what was done on Main Street. Fred Conner stated that he believes the spaces are at a 60 degree angle. Mr. Doyle noted that typically when you are driving down a road into diagonal parking, a driver would be turning off to the right. He further stated that under this proposal, a driver would be pulling off to the left and would diminish a driver's line of sight. Mayor Gamache mentioned that when council reviewed the initial proposal in June, at that point the Public Works Director saw no obvious inconveniences with regards to the improvements. She noted that the library was not included in the proposal at that point and asked staff if that would change the view of the Public Works department. Mr. Cloud responded that adding the library parking into the plan would make things easier and not harder. Mr. Doyle stated that the sidewalk plow cannot make a 90 degree

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turn and noted that the new proposal includes two 90 degree turns. Mr. Conner commented that there are 90 degree sidewalk intersections at every 90 degree intersection in the City so it is not uncommon. Mr. Conner noted some design changes that could be implemented to solve that problem. Mr. Young asked Ms. Larrabee if there was a reason the Conner's project was being tied in with the library project and asked if the library project could stand alone. Ms. Larrabee responded that the cost would change and may not be feasible. Mr. Spooner asked if the 6 parking spaces in front of the library would be designated for library parking only and asked whether the remaining 5 spaces would be public. Ms. Larrabee responded that the library would like to retain all 11 spaces. Mr. Conner noted that the improvements to the parking spaces in front of the library are worth $30,000 and there is also site work equal to that as well. Mr. Hawkins stated that he was under the impression that there would be 5 parking spaces designated for the City. Mr. Conner responded that initially that was the proposal before the library came into play. Mr. Hawkins asked whose responsibility it would be to enforce the library only parking. Mayor Gamache commented that she believes it is important to get the Chief's position on enforcement. Mr. Hawkins asked Mr. Conner if it is correct that the only thing they are asking council to approve tonight is a parking pattern on Maiden Lane that increases the travel lane for safety and parking purposes and if in the course of litigation, approval is not granted to demolish the Smith Home, no action will be taken. Mr. Conner responded that they have permission to demolish the building now but have elected to wait until the rest of the appeal is heard. Mr. Conner stated that they are asking for permission and licensing of an area of land where the public will be deeded a right-of-way on their property to replace the deteriorated sidewalk that exists currently.

Mayor Gamache opened the floor for public comment. Chris Dermody, Chairman of the Design Advisory Board (DAB), introduced himself. He stated that the DAB did not sign off on the project because it was missing two parts of the application. To be timely, it was forwarded to the DRB and they were made aware of the missing components. Mr. Dermody stated that there is a requirement for parking in the rules for the Smith House and in the process, a total redesign of an historic view corridor from the park and vice versa that has not been addressed. He also commented on the $150,000 in the library's Capital Fund after their rebuild and wondered if those funds could be used to aid the Conner's in finding parking behind the library.

Mr. Ford stated that the whole issue that lies with the Environmental Court pertains to the Smith House; the configuration of the historic structure and the landscape of the parcel. He also asked why not include parking in the rear of the library where more than 11 parking spaces would be gained.

Ms. Prent stated that she has been a supporter of the library and did not challenge them when they extended the building to her property line. She proceeded to read a statement on behalf of herself and her husband which expressed the need for an independent traffic study prior to any discussion of reconfiguring Maiden Lane. She read that they have a deeded right-of-way through the Leahy property exiting onto Maiden Lane and will appeal any decision that allows the Conner's to reconfigure parking on the right-of-way. Ms. Prent stated that she has spoken with Mr. Leahy who is also opposed to the parking reconfiguration.

Ms. Levy noted that in the 90-day period after the DRB made its decision, the City could have stepped in and come up with alternatives to demolition. She stated that since the City chose to take no action until the Environmental Court makes a decision, she believes the decision should be heard before any parking reconfiguration is discussed. Ms. Levy expressed concern that the Board of Trustees for the library have not come forward to discuss their views. She also feels that an independent traffic study should take place. Ms. Levy commented that she does not understand why the City gave up 26 parking spaces on Main Street to replace diagonal parking with parallel parking.

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Cheryl Malkin asked why the reconfiguration of parking would be done to provide additional parking on Maiden Lane when it appears there is ample space behind the library and also asked why not designate the existing parking all the way down Maiden Lane for the library. Fred Conner responded that based on the design for the proposed office building; there is a need for handicap accessibility to the front door. He also noted that the library would not have any handicap accessibility from a rear parking lot. Mike Conner stated that they have designed based on sound planning principles, a parking lot so they do not have an impact on the parking on Congress Street and Maiden Lane. He explained that his tenants will be parking in the parking lot.

Michelle Monroe asked Mr. Conner how long the stretch of sidewalk would be from the proposed office building down to the Leahy property. Mr. Conner responded that there is approximately 175 feet in front of their property and 74 feet in front of the library. Ms. Monroe stated that after the initial proposal was presented, she researched traffic studies and the different impacts between diagonal and parallel parking and found that there are consistent concerns about the safety in diagonal parking in terms of safety of pedestrians and cyclists and backing across crosswalks and it was suggested in those studies to use reverse diagonal parking where you back into the diagonal space and drive out of it and asked if that was a possibility. Fred Conner responded that their project's off-set parking was engineered by Ruggiano who engineered the City's streetscape project and are comfortable with the safety of the design. Ms. Monroe asked to verify whether it's correct that the library would pay for the work to be done while the Conner's paid for the management of that work. Mr. Conner responded affirmatively. Ms. Monroe asked Mr. Conner what the cost for that work will be. Mr. Conner responded that he does not know yet. Ms. Larrabee commented that the Chairman of the Board of Trustees for the library is present and did approve the proposal.

A member of the audience named Katie introduced herself and asked why the parking behind the library isn't being used. Ms. Larrabee responded that the library was not permitted to use that space when it was owned by the previous owner and has now been fenced in by the Conner's. She stated that the library did look into purchasing the adjacent property but the cost was too high.

Mr. Bean recapped that during the last meeting in June when the topic was first proposed, he voiced concern over parking spaces located on a public right-of-way being assigned to a private business and believes it is a precedent that the City should not set. Fred Conner stated that they would gladly entertain a program in which the City financed all of the work and the Conner's leased the parking spaces but instead are paying for everything and donating land to the library.

Ms. Prent noted that the only driving access to her property is off of Maiden Lane as well as for the multi-family dwelling on Maiden Lane and has only become more congested over the years. She also commented that the value of her property would diminish significantly.

Mr. Ford stated that the Conner's want to have the parking configuration that they are proposing to allow handicap accessibility to the first floor of the proposed office building but there is no requirement in zoning that one must have on-street handicap parking. Fred Conner responded that they are designing a two-tenant building with the ability to have independent access with two access points for the upstairs and for the rear parking lot and independent access with two or three access points on the lower level and is the reason for needing access points for both stories. Mr. Ford stated that that is not the public's concern.

Mr. Dermody noted that the DAB unanimously decided not to approve the on-street parking.

Ed Spiegel introduced himself and asked why more parking is needed if Mr. Conner stated that the tenant would not affect parking on Maiden Lane. Mike Conner responded that the existing Owl's Club

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building is over 13,000 square feet with the proposed building being 11,500 square feet. He commented on the need for additional parking in order to meet the needs of a prospective tenant.

Ms. Malkin asked Mr. Conner how many parking spaces would be available in the rear of the building under the proposal. Mr. Conner responded that there would be 37 spaces.

Mr. Ford stated that the Environmental Court judge could easily decide that if demolition goes forward, the footprint would have to be maintained to give some sense of the continuity of the historical property and its landscaping.

Mr. Young expressed his frustration and disappointment in this public battle over the Smith Homestead. Mr. Hawkins stated that if council makes a decision tonight, it will eventually be heard by the Environmental Court who will make a decision based on the entire project. He further expressed that if no action is taken tonight, and the demolition does not get approved in the final merits but the Conner's decide to do something else but with the same parking proposal, it would end up coming back before council and the Environmental Court. Mr. Hawkins stated that he is wondering if it would be most feasible to approve the parking reconfiguration proposed, allow it to be appealed and then allow the Environmental Court make the final determination. Mayor Gamache asked Mr. Hawkins what he thought about an option to consider having staff draft an agreement for review at a future meeting. Mr. Hawkins responded that he feels that would just be prolonging the issue. Mr. Cloud commented that what council is being asked to consider is just a concept at this point with a lot of moving parts to still figure out. Mr. Young asked Mr. Cloud if he feels council should request a finished proposal at the next meeting. Mr. Cloud responded that council can decide whatever they choose to do. He further stated that the proposal is not ripe to be approved tonight but the concept could be approved. Mr. Cloud explained that the goal is to consolidate all of the matters at hand before the Environmental Court and is more an issue of timeliness. He stated that the alternative is council takes no action and it is adjudicated before coming back to council 12 months from now and then back to the Environmental Court again. Mr. Cloud explained that if council believes this reconfiguration of parking makes sense, staff will work to craft an agreement on the council's behalf, will involve the engineers and fine tune as needed before coming back to council for review. He stated that the judge's authority begins and ends as a development review project.

Mr. Hawkins asked Mr. Cloud to speak to a traffic study. Mr. Cloud responded that a traffic study is driven by development with an increase in demand and that issue has already been adjudicated by the DRB. He further explained that staff is not dealing with a demand issue, but rather dealing with a design issue. He is proposing to have the City's engineers look at the proposal as part of the City's due diligence. Mr. Ford stated that by changing the parking configuration, it would change the way traffic can be handled on the road. Mr. Cloud proposed the following motion for council to consider.

A motion was made by Alderman Young; seconded by Alderman Hawkins to direct the staff to prepare an agreement between the Conner's and the library to implement the conceptual plan considered tonight including review by a qualified engineer. Mr. Spooner asked Mr. Cloud if that would include consideration of traffic flowing north. Mr. Cloud responded that he would like time to allow the engineer to exercise his professional discretion and will use VHB which has tremendous expertise in traffic analysis. Mr. Doyle noted the argument that the City shouldn't make changes just for a business and referred to a number of changes that the City has made to infrastructure because of the industries that the Smith's owned. He further stated that he has no concerns over diagonal parking along the street but is concerned that it is done in a safe way that increases the safety of pedestrians and with proper maintenance. He added that he would much prefer that all the parking space and sidewalk remain in the City right-of-way and for a deal to be worked out that allows certain uses. He feels it is important that the City remain in control of its infrastructure. He also pointed out that the end of

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Maiden Lane is narrower and parking is ambiguous at the south end of the street. Mr. Conner added that as part of their submission to the DRB, parking data was included. **Vote was unanimous, 6-0.**

9. City Manager Report.

a. Sidewalk Design Engineering Scope.
Mr. Cloud explained that the Sidewalk Design Engineering Scope has been included in councilors' packets and that Cross Consulting has been selected. Staff continues to march toward an anticipated bond vote in March with a schedule to have staff ready for submitting a bond preposition on sidewalks. To the voters, the project approach focuses on existing sidewalks and doesn't include new sidewalks. The project also includes curbs where necessary or recommended. Mr. Cloud explained that the final plan will come back before council for final review. Mr. Spooner commented that he and Mr. Doyle had spoken with a resident on LaSalle Street who has a sidewalk right against the road. He explained that the resident has spoken with the other neighbors on the street who are in favor of an updated sidewalk and a transition from a two-way street to a one-way street. Mr. Spooner asked Mr. Cloud at what point that could be discussed and added that there is an existing sidewalk on a small portion of the street. Mr. Cloud responded that he would like to complete the conceptual design phase first but would be helpful if Mr. Spooner could forward an email that can be sent to Cross Consulting so the idea can be considered. Mr. Doyle stated that he has questions about grading issues. Mr. Doyle responded that he would get a chance to probe deeply further into the process. Mr. Doyle asked Mr. Cloud at what point council will be able to make the engineers aware of their concerns so they are not getting ahead in the conceptual design phase. Mr. Cloud responded to have Mr. Doyle forward any and all questions and concerns he may have.

b. Authorization of $14.5 million in general obligation bonds through VMBB.

i. Motion to authorize the City Manager , Mayor, City Clerk, and City Treasurer to sign documents necessary to implement sale of general obligation bonds through Vermont Municipal Bond Bank, including Resolution and Certificate; Tax Certificate; Loan Agreement; Bond; Certificate of Registration; Section 148 and 265 Certification; Form 8038-G; and such other documents necessary to advance the voter authorized bond sale (D&V).
Mr. Cloud explained that this agenda item is for bonds for the parking garage and related improvements on Lake and Federal Streets. Staff conducted a competitive solicitation with the banking community and met with half a dozen possible lenders. Mr. Cloud stated that the Vermont Municipal Bond Bank was the preferred alternative where every other lender had a 10 year call provision which is a lot of risk for a City to assume. He stated that their rates during the interim 10 years were no better than what the City was receiving from the bond bank. Mr. Cloud noted that the bond bank is currently forecasting 3.787% and the City's model was built around 3.75%. The bond bank approved the City for its upcoming issuance. He stated that he is looking for council to consider authorizing the City Manager, Mayor and City Clerk and Treasurer to sign documents which confirm the bond is a duly authorized note, confirms the bond will be used toward public improvements that were put in the question to voters and confirms that the City pledges the full faith and credit of the City of St. Albans

A motion was made by Alderman Hawkins; seconded by Alderman Young to authorize the City Manager , Mayor, City Clerk, and City Treasurer to sign documents necessary to implement sale of general obligation bonds through Vermont Municipal Bond Bank, including Resolution and Certificate; Tax Certificate; Loan Agreement; Bond; Certificate of Registration; Section 148 and 265 Certification; Form 8038-G; and such other documents necessary to advance the voter authorized bond sale. Mr. Doyle asked Mr. Cloud to elaborate on the other options received. Mr. Cloud responded that proposals were received from multiple lenders, all of which had interest

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rates that were in the initial 10 years, marginally higher and had a call provision that they could adjust the rate. Mr. Spooner asked if authorization is for up to $14.5 million and not the full amount. Mr. Cloud responded that it is the full amount which would come into the City's account on January 7th but doesn't mean the City has to spend the full amount. The City does not get the benefits of tax exempt stabilized long-term borrowing without the full draw down and also is advantageous because it allows the $2.5 million proceeds from the parking garage fully unrestricted. Mr. Spooner asked if it's correct that it would have to come back to the voters if more funds needed to be authorized. Mr. Cloud responded affirmatively and recapped that the voters have authorized $16 million and only requesting $14.5 million. Mr. Spooner asked if it's correct that the voters would have to approve each individual project. Mr. Cloud responded affirmatively and stated that the voters have already approved this project. **Vote was unanimous, 6-0.**

c. Union Contract Addendum (D&V).
Mr. Cloud stated that this agenda item is a motion to authorize a contract addendum with the City employees union represented by AFSCME. He explained, as laid out in the memo from Ms. Strait, there was a significant spike in the City's health insurance premiums at the beginning of the renewal period of 19.3%. Staff was able to reduce the increase to 10% by increasing the deductible from $1,500 for a single and $3,000 for a two person plan to $3,000 and $5,000, respectively. The City is contractually obligated at $1,500 and $3,000 via the union contract so the City makes up the difference and is able to spend less on premium and more on deductible if needed but would require a contract addendum. He added that the union is supporting of this and has already moved an authorized the amending of the underlying contract.
A motion was made by Alderman Hawkins; seconded by Alderman Spooner to approve the Union Contract addendum to the Collective Bargaining Agreement between the American Federation of State, County and Municipal Employees Council 93 and the City of St. Albans. Vote was unanimous, 6-0.

d. Amendment to 457 Loan Policy (D&V).
Mr. Cloud explained that the 457 loan is a secondary retirement plan that is a City sponsored savings account for retirement and has already been approved by council. Mr. Cloud stated that the existing loan document stipulates that the frequency of loans is that there can only be one outstanding loan out at a time. The whole program is capped at 50% of the fund balance which creates an incentive for users to take out a larger loan and is not in their interest to do so. Mr. Cloud stated that he is asking council to consider amending the policy under Section 5 to provide that participants may receive one loan per calendar year; moreover no participant may have more than 5 loans outstanding at one time.

A motion was made by Alderman Hawkins; seconded by Alderman Doyle to approve amendment to 457 loan policy. Vote was unanimous, 6-0.

Mr. Young noted the timeline incorporated with the previous discussion regarding the sidewalk project and expressed the need for a public hearing once preliminary drawings are completed to allow for public input. Mr. Cloud responded that he is hearing the need for public comment as well as for the Public Safety Committee to be more involved and could be done after the preliminary engineering phase is complete. Mr. Spooner commented that it may be a good idea to hold a public hearing in each neighborhood to allow for their input.

e. Proposed Creation of a Parks Commission.
Mr. Cloud explained that he has met with Mr. Young several times to discuss the creation of a Parks Commission. He stated that the current model is not a good model that aligns with any of the City's

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other processes as it lacks a board policy setting function, accountability lines are unclear and there are not any formal mechanisms in place to involve parks planning with the City's other budgetary approval functions. He is proposing the creation of a Parks Commission that would oversee all three of the City's major parks with specific duties. Mr. Cloud stated that Mr. Young would not sit on the Parks Commission but would occupy the de facto staff role which he has involved into and would do so without compensation under a written agreement or letter of appointment. Mr. Hawkins expressed that he feels the issue with this proposal is that it is the creation of another committee when the current boards are already spread thin and is wondering if it could be overseen by the structure in place; possibly through Public Works to the Recreation Department and up to council. Mr. Spooner commented that he believes this type of commission would generate interest from a different group of people. Mayor Gamache noted that she has also received similar comments from the public about getting involved with the parks and believes this commission would be appealing. Mr. Cloud stated that he would address the topic further at the next meeting.

10. Mayor's Report.

Mayor Gamache explained that 6 candidates have been interviewed thus far for the Recreation Commission with 7 seats available. For the St. Albans Housing Authority, there is one vacancy and one candidate who were interviewed. Mayor Gamache noted the resolution included in the council packet and is seeking a motion to approve the different candidates to the different terms as outlined.

a. Recreation Appointments (D&V).

A motion was made by Alderman Spooner; seconded by Alderman Young to appoint Morrell Bunbury and Liz Studley with a term expiring December 31, 2014, to appoint Bryan DesLauriers and Peggy Manahan with a term expiring December 31, 2015, and to appoint Megan Manahan and Mike Zemeniak with a term expiring December 31, 2016. Mr. Doyle asked whether the decision to place the candidates with the abovementioned terms was decided at the last meeting or if it was done administratively. Mayor Gamache responded that it was done administratively. Mr. Sawyer stated that it was done in the interest of showing council a template that has staggered terms to get the commission back on track with regular annual appointments of some of the members. **Vote was unanimous, 6-0.**

b. St. Albans City Housing Authority (D&V).

A motion was made by Alderman Spooner; seconded by Alderman Young to appoint Desiree Merchant to the St. Albans City Housing Authority with a term expiring December 31, 2016. Mr. Doyle noted the protocol for removal of members from various City boards and asked if staff had rules for removal of a member from the boards mentioned tonight. Mr. Cloud responded that it has not been specified for advisory boards such as Recreation. Mr. Sawyer stated that the rules for the DRB and Planning Commission are set by State statute whereas a change could be made to the Recreation Commission based on a majority vote by the City Council. He added that he believes the Housing Authority has a different enabling State statute. **Vote was unanimous, 6-0.**

11. Minutes: 11/11; 11/5; 11/15 (D&V).

A motion was made by Alderman Spooner; seconded by Alderman Young to approve Regular Meeting Minutes from 11/11/13. Vote was unanimous, 6-0.

A motion was made by Alderman Spooner; seconded by Alderman Young to approve Special Meeting minutes from 11/5/13. Vote was unanimous, 6-0.

A motion was made by Alderman Hawkins; seconded by Alderman Young to approve Special Meeting minutes from 11/15/13. Vote was unanimous, 4-0 with Aldermen O'Grady and Spooner abstained.

12. Warrants: 11/20 & 12/4 (D&V).

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A motion was made by Alderman Spooner; seconded by Alderman Young to approve warrant from 11/20/13. Vote was unanimous, 6-0.

A motion was made by Alderman Spooner; seconded by Alderman Young to approve warrant from 12/4/13. Vote was unanimous, 6-0.

13. Other Business.

Mr. Doyle explained that he had approached staff and the Fire Department after receiving complaints about fireworks from a veteran who was concerned about reactions to fireworks taking place at an unexpected time. He is wondering if staff could look into making a policy where the Fire Department, when aware of fireworks scheduled in the City, could alert all of the veteran organizations in the community. Mr. Young asked why an alert would be limited to just veterans. Mr. Cloud stated that staff could look into it. Mr. Doyle stated that he would also like to discuss ways to get the community engaged in historic preservation at the front end to help save things that are important to the community before they degrade to an irreparable level.

Mr. Young expressed concern over the large flag in the park and noted that the cost to replace the flag is $500 each and have ruined the fourth flag due to a tree that needs to be trimmed. He has suggested to the Chief that on half mast requests, the flag be taken down and the flag behind it be flown at half mast. He also stated that the decision to not put the Christmas trees in the park this year came from the Festival of Trees committee and will be working on a plan for better wiring in the park.

Mr. Spooner noted a prior discussion where the Fire Inspector would be coming in for a discussion and wondered if that would still take place at some point in the absence of Fire Inspector. He also noted that it seems as though some of the information submitted in the Weekly Reports does not change

14. Executive Session.

a. To consider appointment of a public officer.

A motion was made by Alderman Hawkins; seconded by Alderman Spooner to enter Executive Session at 9:53 pm to consider the appointment of a public officer. Vote was unanimous, 6-0.

A motion was made by Alderman Spooner; seconded by Alderman Hawkins to exit Executive Session at 10:28 pm. Vote was unanimous, 6-0.

15. Adjourn.

A motion was made by Alderman Spooner; seconded by Alderman Hawkins to adjourn meeting at 10:28 pm. Vote was unanimous, 6-0.

Respectfully Submitted,

Kristen Smith
Administrative Coordinator

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