

**St. Albans City Council  
Regular Meeting  
Monday, July 11, 2011**

**5:00 pm Liquor Control Board  
5:30 pm Executive Session  
6:30 pm Regular Session**

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

1. Executive Session:
  - a. To consider the following: Labor relations agreements with employees and civil actions where premature general public knowledge would clearly place the City at a substantial disadvantage; negotiation or securing of real estate options; and the evaluation of a public officer.
2. Pledge of Allegiance
3. Reports:
  - a. Public Safety (Chad Spooner)  
No action since last meeting.
  - b. Finance (Tim Hawkins)  
The committee is meeting every two weeks and is currently working on a trash program, insurance and water/wastewater allocation fee revisions. The committee presented the attached memo.
  - c. Mayor—no report.
  - d. City Manager (written)
4. Finance Committee recommendation for adjustment to water and wastewater allocation fees (D&V).  
Please refer to attached memo from Finance Committee.

**Richard Peters made the motion to accept the Finance Committee recommendation for adjustment to water and wastewater allocation fees; Joseph Luneau seconded the motion. The motion carried unanimously.**

5. Presentation of Proposed Parking Program (D&V).

Dominic Cloud began the presentation with Tim Hawkins' summary of the composition of the committee; comprehensive community input included the public at-large, merchants, and two public meetings. It has been a year-long process wherein a number of issues were debated and thoroughly vetted by the committee. Mr. Cloud pointed out that downtowns need regular turnover of shopping spaces, and that the City would like to encourage people to use the parking lots, which are under-used, so that employers don't have to compete with customers for parking spaces on Main Street. He added that the parking lots are the biggest contributors to blight in the City. The City is working on improving lighting and installing security cameras at the Court House parking lot. The proposed parking program would lift the burden of expense from the taxpayers, and assist with the upkeep of the parking resources. The program would increase efficiency by reducing enforcement staffing, and using income from parking meters or kiosks, instead, to pay off the \$58,000/year ten-year debt for this \$500,000 project. The expenses of maintaining the program should be paid by the people who use the resources, and should not be paid by taxpayers. Upgrades to the parking lots would provide resources that would contribute to Capital.

Mr. Cloud pointed out that the supply of parking is not the problem. He assessed that the number of street parking spaces is about 500. He described other major Vermont cities that lack street parking in their downtowns; those cities have paid parking. Other towns are currently considering setting up paid parking programs. The City needs to manage efficiently what we have. Chalking of tires is found to be inefficient, unfriendly, clumsy, and easily challenged in court. He brought up the issues surrounding night parking; employees do not use the lots because they feel they are unsafe. The City would like to create more opportunities to park conveniently and safely, so that employees don't have to move their cars to a different spot all day long. Mr. Cloud recommends pricing the lots less than street parking, and paying for parking with coins or a card. The community members should pay less for parking, and part-time workers should pay less than full-time workers. Currently, parking is on a first-come, first-served basis, and there is no incentive to move your car. You can't charge people to park in the lots, when every place else is free. The City needs the revenues, and that objective is front and center.

As recommended by the committee, all parking lots should be under the same rules; parking in the lots should cost less than the street and be paid by coin or by card; merchants, employees and residents should pay less; on-street parking should reflect the desirability of the space. Some dissenting voices feel they should not have paid parking, but should raise taxes, instead; they find the lots are safe enough for them; and they feel the current system works fine. The overwhelming majority feels you should not increase the cost of parking in the lots until you have improved them; and the City should charge \$2.00 for visitors, and \$1.00 in the lots, if you buy a card. Only pass holders should park in the lots and pay only for what they use; and parking should be free on weekends. From 9:00 am to 6:00 pm Monday through Friday, you would pay by a card in the parking lots; and use the kiosks so that visitors may use the lots. On the street, the committee recommends not charging until the streets are paved. Mr. Cloud listed the recommended charges from \$.75 per hour (or less for quick errands), which you could do with a card or cash, to \$.50 per hour (or less). Day-long parking on some streets would be \$1.00 per day, and in effect from Monday through Saturday. The committee wanted to make sure that parking would not be clogging the neighborhoods. In residential areas, there would be no parking from 9:00am to 3:00pm, and residents would have access to a special permit for \$10.00 to accommodate guests; they are still working out the details for this concept. He described the availability of a waiver system for each license plate that would be validated by the merchants.

Mr. Cloud showed a conservative estimate of usage and income with gross revenues of \$249,528; and annual expenses and debt services in the amount of \$101,360. Net revenues would amount to \$148,160. The committee recommends that 50% of the net revenues should be tagged for the downtown improvement projects and 50% by taxpayers, and to coordinate parking lot improvements with the streetscape improvements. The Master Plan Committee is asking for the City Council's support for this program. Now is the time to incorporate the program into the design, and to install signage to make it clear how the system works. The traffic engineering firm, RSG, would work with the City to help establish zones and a financial model. This is a really important revenue source, and the City needs an active parking management program.

Liz Gamache, downtown Master Plan chairman, added comments explaining how a parking management program supports and enhances the downtown streetscape program. She explained the subcommittee structure under the Master Plan Committee. The Master Plan Committee is looking at integrating the pieces together with a comprehensive approach.

Having a business downtown, Tim Hawkins understands how much the City needs this parking management program and needs a user-based system; people want to park conveniently, and want the availability of parking. There was a lot of community input, and a lot of supporters for a comprehensive program. The City needs the revenues, and it needs to be part of the downtown project.

Comments from the City Council: Joseph Luneau asked questions about expenses for damaged meters, and maintenance issues with the Courthouse lot. Mr. Cloud explained that the meter pricing includes an excess of meters for replacements. Mr. Cloud acknowledged that the Courthouse lot was not planned as well as it should have been; pricing was wrong, and also the Post Office closed. The City has learned from that experience and will get more data in future planning. Mr. Luneau asked questions about permit parking in the residential areas, and Mr. Cloud explained that they are still working out the details on those permits.

Mayor Manahan asked if BFA students parking in the Barlow Street area would create a problem. Mr. Hawkins explained that Principal, Dennis Hill, was included in the discussion of that area of the City, and it was determined that the students would likely prefer to pay \$1.00 per day, rather than walk that distance. RSG is looking specifically at that area.

Mr. Luneau wondered how the residents, who have limited parking for their own vehicles, would be dealt with, so they could legally park on the street. Mr. Cloud stated that the City is striving to protect the impact on the neighborhoods. They are considering permits for \$10 for the main car and \$2.00 for every additional pass. They are still working on the details for this concept.

Mr. Hawkins explained the availability of free parking for students at the sports complex, and the bus service that brings students to BFA. The committee and Mr. Hill discussed possible arrangements for parking for staff, also.

Mayor Manahan brought up the problem of snow removal around snowbound cars parked for several days. He suggested that BFA employees who are going to be at the school all day should park at the complex, and to have spots available at BFA for people who have to leave. Mr. Cloud says the City will work with BFA on permits for students.

Ms. Gamache pointed out that there is a common interest to attract people to St. Albans, and people are willing to work together and compromise to reach that end.

Mr. Spooner wondered if there are options being considered to offer 0% loans for property owners to fix up the facades of their properties. Mr. Cloud reports that there is a Facade Committee proposal to be presented to the City Council to offer community development funds for that purpose. Mr. Hawkins noted that everyone made concessions to make this work. No one made demands up front, but were willing to make concessions. There was a full commitment to come up with a plan.

Mr. Luneau believes that a clear majority of merchants think it's a bad idea, and asked how they are going to rectify that. Mr. Hawkins pointed out that misinformation went out before the final hearing of the proposal; he feels that there are a lot more people in favor of it than not. Mr. Luneau thinks it is counter-productive to charge people who come to see you, and that it is a disincentive, especially if you have competitors in the immediate area. Mr. Hawkins does not think people think too much about paying a quarter to go into a shop. People just want to be able to park, or they will go somewhere else. Ms. Gamache noted that the committee worked with many groups of people over a long period of time. The committee was able to change people's minds when they explained what is actually being planned, and not be swayed by misinformation they may have heard. Mr. Spooner found four merchants in his ward to be very supportive of the program. Mayor Manahan found that there was a lot of misinformation for a lot of people he has talked to. Kevin Smith pointed out to him that he saw no change in his business when meters were taken out several years ago. As with other departments having user fees, we are just looking at user fees.

Public Comment: Jeff Bean, a committee member, stressed that the program needs to be done in such a manner that it works throughout the City; not just for businesses, but to benefit the taxpayers and the residents of the City. He believes \$1.00 per day is very reasonable, compared to \$6.00 per day for use of the swimming pool. He pointed out that when they took out the meters years ago, that created a loss of millions of dollars in revenues that we have missed out on.

Jim Walsh, Chamber of Commerce Director and committee member for this project, stated that he is here to speak for public safety concerns and raising revenues. We have a police force that should take care of the public safety issues. He agrees that some merchants are part of the problem, but also believes that enforcement is inadequate. He feels this is not the time to charge for parking, because of the economy; it may be a good plan five years from now. He does not want to see it rushed through for the streetscape program. He suggests that there are other funding sources that should be considered, such as grant funding, a 1% sales tax, or other ways to generate revenue. He noted that residents are upset about the program in the neighborhoods. Also, students should not be singled out, and should be treated equally. He suggests sending it back to the committee. He assured the City Council that he maintains a neutral stance at the Chamber of Commerce and just presents the facts. Mayor Manahan is concerned about people soliciting opposition, without presenting the facts. He stressed that for those people who say they were not listened to; they were listened to, although their ideas may not have been incorporated into the plan. Everyone was listened to. It was the decision of the committee to move forward.

Eaton's Fine Jewelry owner, Vicky Eaton, stated that she was all for the parking program initially, but now does not think it is a good idea. She described the patterns of enforcement that she has observed. She sees that the merchants are the biggest problem, and she has no problem calling their attention to that fact. Mayor Martin asked if she saw any advantage to adding sidewalk space. She answered, not really. She added that the Farmers' Market does not draw any business to her store. People come to events and leave, and do not shop. She noted that there is not a lot of money in Franklin County, and that a lot of her customers would find paid parking a hardship. She finds the Interstate to be the City's biggest competitor. Canadians now go through and shop in Burlington. She also commented on safety issues, as well. She would rather pay more taxes and keep free parking for her customers.

Mike McCarthy, Cosmic Bakery & Cafe, stated that he talks a lot about parking for tenants and merchants, and encourages parking in the back. It is not always possible for him to police his employees in front of his shop. It is very, very difficult. The parking plan is a system, and the existing enforcement is inconsistent, and not a system. The parking plan is fairer, and when it is implemented there will be a perceived value in the streetscape improvements. My customers need to be able to buzz in and out; they need the convenience. He is very much in favor of the paid parking program.

Jeff Young asked to review what would be done with the revenue, and wondered when they would see those revenues. Mr. Cloud reviewed the figures and said that the revenues would be back loaded a year. 50% of revenues would go to downtown improvements and 50% would go to unrestricted general funds. Mr. Young does not see a definite plan for the expenditure of the money. He says the lots are already part of the debt service. He agrees that having the lots redone is a great idea. He thinks we need to be a little more specific about the use of the money. Mr. Cloud says that \$150,000 is not going towards the parking lots, and that the City Council is the board that appropriates funds and would make that determination.

Laz Scangas, Master Plan Committee member: He travels around the state a lot and finds that all the cities and towns have parking meters. Putting a quarter in the meter is not going to keep people from coming to the downtown. He is aware of at least one merchant who is against the program because he does not want to sacrifice his parking spot, even for a customer. That is why Mr. Scangas thinks we need meters, which would open up spaces, and he feels that you have to somehow generate revenues.

Considering the size of the cost of the project Mr. Luneau thought it should be voted on at Town Meeting Day. The City Manager hasn't looked at that at all; his response was, "maybe." Also, Mr. Luneau thinks the cost for the project is understated, and believes they would be lucky to get half as much as \$148,000 revenue. The Mayor regards it as a pretty conservative estimate at 60% occupancy. Mr. Luneau asked what the enforcement expense would be. Mr. Cloud says it would likely come out of the general fund targeted towards downtown expenses. Mr. Cloud asked to allow him to dig deeper and find out where meters and kiosks should go, and come back to the City Council with more data.

Mr. Luneau will vote in the negative. He feels that the project is well intended, but does not suit the need.

**Tim Hawkins made the motion that the City Council approve the presentation of the Proposed Parking Program, as presented by the Committee; Richard Peters seconded the motion. The motion carried 6-1.**

6. Second Reading and Public Hearing on proposed amendments to land development regulations re: soup kitchens, determination of similar uses, change of designation of certain parcels from high to low density, and sign construction and maintenance.

Mayor Manahan noted that there were concerns over Section 415 at the First Reading. They will momentarily strike that section, and the DRB will come back to the City Council with a revised Section 415. Mayor Manahan invited public comment, but there was none.

Comments from the City Council: Mr. Luneau asked if they have to reapply for conditional use. How does that work? Mr. Cloud says that they would need to reapply. They were denied because there was no similar use. They can apply tomorrow morning, and come before the DRB again; they can now be approved with conditions. The timeline was explained, and would be expedited quickly after the September meeting and before October 1. The hearing was drawn to a close.

**Joseph Luneau made the motion to accept Second Reading and Public Hearing on the proposed amendments to the Land Development Regulations regarding soup kitchens, determination of similar uses, change of designation of certain parcels from high to low density, and sign construction and maintenance; Chad Spooner seconded the motion. The motion carried unanimously.**

7. First Reading of Ordinance Prohibiting Smoking in City Parks: This ordinance falls under Public Safety, and was turned over to Chad Spooner.

Mr. Spooner thought that as the City moves forward on the revitalization of downtown, it presented a good opportunity to make the parks more family friendly. He highlighted Amy Brewer's experience and success in other communities. The Chief expressed concerns about policing the policy; however, the program would be self-policing; there would be no cost to the City, since Ms. Brewer has grant funding for signage. Ms. Brewer gave a history of her experience.

Mayor Manahan asked if there were any questions from the Council. Mr. Peters supports the idea, but questions how it would be enforced. Ms. Brewer says really good communication is key, and a willingness for people to approach and inform people of the policy; most people learn about it in the newspaper and signage, and make the effort not to smoke. The goal is not to have the police ticket people, but to create a clean environment, encourage self-policing, reduce litter, and prevent an impact on other people's health.

Mayor Manahan asked what the penalties are, and Mr. Cloud stated that the penalties are the same as Section 39.19 of the existing ordinance, which is \$25 and imprisonment for up to ten days for violation of park rules. He suggested that we could change the penalties for the whole section. Mr. Hawkins supports the concept, but does not want to put people in a confrontational position with someone else. This should only be done by people with authority. He strongly recommended that a designated area be provided as a place to smoke; if not, people may avoid attending events or enjoying the park. Ms. Brewer suggested smokers can step out to the sidewalk to smoke, or cross the street; smokers may have to bring their children to the designated smoking area, exposing them and others to secondhand smoke.

Henry Demar, a citizen, gave his observations at festivals and farmers' market. He wonders how you would be able to implement the policy when there are large numbers of smokers; you can't do it for one and not for others. Ms. Brewer recommends utilizing sandwich boards and permit signage, and increased promotion. The intent is not to intimidate people. Henry thought it would hurt vendors who work for several hours, who may not be able to step away to smoke. Mr. Spooner feels that people should be able to attend a concert for an hour-and-a-half without having to smoke. Mr. Bean doesn't think it is a good idea to have no designated smoking area, and pointed out that if there is smoking on the sidewalk, then you will have cigarette butts all around the park. Mr. Young noted that the Park Commission is meeting on Wednesday and would like to talk about policy enforcement at Taylor Park, and have been talking about having a smoking ban in the park. There are a lot of logistics in dealing with this issue. Smoking is a public nuisance, and in creating a smoking policy, we have to think through some of the problems as we implement it. He, too, would be reluctant to approach people who are smoking.

Mayor Manahan listed all the parks in the City that would be affected. It was suggested to add all future parks and ballparks to the ordinance.

**Chad Spooner made the motion to accept the First Reading of the Ordinance Prohibiting Smoking in City Parks, and to include the ball fields and any future parks; Tim Hawkins seconded the motion. The motion carried unanimously.**

Mr. Lunneau suggested changing the existing penalties under Section 39.19. He will not look at restricting smoking at events. Mr. Cloud says the ordinances need a comprehensive rewrite. Mr. Hawkins suggests taking another look at designated smoking areas.

8. Presentation of Streetscape Design at-grade views and authorization to proceed (D&V). Greg Bakos, VHB, Inc. and Michael Willard, SE Group.

Mr. Cloud explained that the presentation would include top-down and street-level views of the Streetscape Design. He introduced Chip Sawyer, Planning Commissioner and Director. Mr. Sawyer explained that the project runs from Hudson Street to Stebbins Street. The intent is to rehabilitate Main Street from building face to building face, renovating lighting, roadway surface, sidewalks, curbing, parking, traffic signals, and trees; and this is the time to do sewer system and water improvements, but they would have an impact on the construction budget. Some of the enhancements are to improve a sense and feel of space and identity with downtown, particularly with regard to pedestrian access and an overall feel of pedestrian space. It is also safety related, with more visible crosswalks and improved traffic signals. He ran through the plan and pointed out in detail the changes, starting at Hudson Street. He pointed out crosswalk changes, drop-off in front of the theatre, closing off the alleyway next to City Hall, and an increase in the angle of diagonal parking spaces to better accommodate snowplows. There will be a loss of 15 parking spaces as they conform to the guidelines along side of handicap spaces. Mayor Manahan suggested eliminating the spur on the corner of Congress Street. Mr. Hawkins feels that the crosswalks are a long way for pedestrians to walk. Henry pointed out the danger of having diagonal handicap parking spaces, particularly if you are going to access the back of the vehicle; they need to be in an area away from traffic. The east side of Main Street would have tiered curbing because of the slope; that and the slope of the driveways are a problem. Henry added his ADA concerns, and Mr. Bakos stated they are still working on ADA compliance guidelines, but thought it would be better to have parallel parking for handicap spaces. Mr. Hawkins questions the number of pedestrian crosswalks in front of City Hall.

Mr. Bakos continued, and pointed out the gateway treatment on both ends of Taylor Park. An important part of the plan includes widening the sidewalks 5-to-6 feet for a better street-life feel and to provide space for tree planting, light poles, parking meters, outdoor seating, merchandize, etc. They would be shifting the roadway into the park 5 to 6 feet, and they will be adding a sidewalk on the park side for pedestrian safety, particularly in the winter; they would not have room for diagonal parking, because of grading issues and park permit issues, so parallel parking was introduced. All this brings the park back into the Main Street.

Mr. Bakos showed the plan to the merchants in this block to get some feedback. The number of spaces lost was the biggest concern. There would be a 45% loss of parking spaces based on parallel versus diagonal parking and is not based on what is out there today on the park side, a net loss of 14 spaces. Mr. Bakos took notice of parking usage in that area on weekdays and weekends, and feels that metered parking would open up more spaces. The merchants saw value in the revitalization project, and some saw value in widening the sidewalks. He is also looking at Church Street and making it one way; that could get back 24 parallel parking spaces, representing an overall increase in parking, which should be priced differently. The proposed 16-foot travel lanes through the parking areas would be able to accommodate bikes, and snow plows. They would install state-of-the-art traffic signals, and pedestrian lights, and minor improvements at the Fairfield intersection.

The presentation was turned over to Mike Willard to show the computer model of the street-level view of the streetscape. The model showed what it would look like from all angles. Mr. Willard explained the silver sills system, and the rain gardens, which are a storm water treatment system that is capable of handling massive amounts of water and ice.

Mr. Bakos asked the City Council for a final endorsement, so that the City can meet the schedule and get construction projects going.

Comments from Council members: Mr. Young noted that there is grant money for street tree development, but that the proposed design does not look like what he is familiar with, and looks too close to the street; and he asked about the silver sills, which was explained. Mr. Young still has reservations about the plan. Mr. Luneau feels that the west side parking spaces are a benefit to merchants and would be compromised, and adding a sidewalk on the east side does not justify the loss of parking spaces. He likes the Church Street concept; however, this is not part of the streetscape project at this time.

Comments from the public: Laz Scangas described Evanston, Illinois' new streetscape plan that is similar to this one that he found to be "phenomenally successful;" there was a lot of activity, and merchant advantages. They have two-ft. sidewalks along the side of cars that seemed to work well. He thinks the merchants need to take the opportunity to utilize the widened sidewalks. The wide sidewalk space allowed people to be engaged and to socialize; the activity on the street was "amazing." Another resident alluded to the lack of visibility for drivers going from Bank Street to Main Street, and another called attention to the hazards of cars backing out of alleyways and crossing sidewalks. Liz Gamache added that the project gives us an opportunity for a new vision that brings something distinctive and special to Taylor Park and downtown, and to create ambiance and functionality in the downtown. She noted that many people feel parallel parking is safer and prefer it to diagonal parking.

**Tim Hawkins made the motion to accept the Streetscape Design, as presented, and to authorize the City to proceed with the project; Chad Spooner seconded the motion. The motion carried 6-1.**

Mr. Luneau feels that creating a revenue stream by putting parking restrictions from diagonal to parallel parking and adding meters in the most valuable parking in the downtown is counterintuitive. The parking fee schedule plans do not offset the loss to the merchants. Adding parking on Church Street is too far away to be viable to merchants. He will not vote for the plan for those reasons.

#### 9. Consider Adoption of Financial Policies

Peg Strait, Finance Director; Tim Hawkins, Finance Committee Chairman: Mayor Manahan says the Finance Committee has had an opportunity to look at this again. Mr. Hawkins reports that the committee went over the policy handbook and made recommendations. Ms. Strait added that it is required that controls be in place to protect the City's assets, and to satisfy compliance auditors and providers of funding. Mayor Manahan regards it as an excellent document, and long overdue.

**Chad Spooner made the motion to adopt the Financial Policies, as presented; Joseph Luneau seconded the motion. The motion carried unanimously.**

#### 10. Other Business

Mr. Luneau inquired about when the City Council will see an audit report. Ms. Strait stated that her office is going through all general ledger accounts, and when they are satisfied that they are correct, she will send financial statements to staff and council, most likely within the next couple of weeks.

Mayor Manahan asked Ms. Strait to look at the Pool Day Pass, which should be good all day for people who have to leave and come back.

Jeff Young explained the tree replacement project under way. Fifteen trees that were in poor condition were removed and replaced at the Pomerleau development. They are taking advantage of State money that was available to do the project. They will be moving north on the west side of North Main Street to Brainard Street to plant nine new trees; and are working their way up to Newton Street. Thirty-nine new trees in all will be planted. The project was reviewed by the State; they had to tell the State exactly which trees were being taken down. They had to be rated by an urban forester for destruction; they had to tell them what kind and size of trees we were planting in order to get the funding for the project. Pomerleau gave a donation to this project, as well. He explained the Gator Buckets that would be in place for two years, which are used to protect the young trees. Four new trees will be going in at Taylor Park. The City has 20 trees to distribute to residents who would like them; it costs \$1000 to take a tree down, and the arborist will look at the site. Mr. Hawkins invited Mr. Young to summarize his credentials and experience. Mr. Young explained that he is a Master Gardener with a long list of consultation projects throughout New England. He teaches park management and has attended numerous conferences. He plans to take the State examination to become a certified arborist in the near future. Mr. Spooner called attention to the need to replace trees at the Aldis Street ballpark.

11. Minutes of 4/4, 4/13, and 5/2:

**Richard Peters made the motion to approve the Minutes of 4/4, 4/13, and 5/2, as corrected; Joseph Luneau seconded the motion. The motion carried unanimously.**

12. Warrants

a. Payroll for 6/9, 6/16, 6/23, and 6/30

**Jeff Young made the motion to approve the Payroll warrants for 6/9, 6/16, 6/23, and 6/30; Chad Spooner seconded the motion. The motion carried unanimously.**

b. Accounts Payable for 6/22 and 7/6

**Chad Spooner made the motion to approve the Accounts Payable warrants for 6/22 and 7/6; Joseph Luneau seconded the motion. The motion carried unanimously.**

13. Adjournment:

**Joseph Luneau made the motion to adjourn; Aaron O'Grady seconded the motion. The motion carried unanimously.**

Submitted by Charlotte Ryan.