

**St. Albans City Council  
Minutes of Meeting  
Monday, November 14, 2011  
City Hall, Council Chambers**

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

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

**Council Absent:** Mayor Martin Manahan.

**Staff Present:** Dominic Cloud, City Manager; Peg Strait, Director of Finance and Administration; Susan Krupp, City Clerk/Treasurer; Allen Robtoy, Director of Public Works; Denise White, Assessor/Lister; Chip Sawyer, Director of Planning and Development, Lindsey Bryant; Downtown Manager.

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

**Open Session**

1. Pledge of Allegiance. Alderman Luneau led the Pledge of Allegiance at 6:30 pm.
2. Public Comment. No public comment made.
3. Finance Committee Report (Tim Hawkins).  
Alderman Hawkins explained that the engineering phase of the Fairfax Dam and Streetscape Project were the topics during the last finance meeting. Budget items will be addressed over the course of the next couple of meetings at which time the committee will begin to look at the budget for FY '13.
4. Public Safety Committee Report (Chad Spooner).  
Alderman Spooner stated that the next Public Safety Committee meeting will be held on December 7<sup>th</sup> at 4:30 pm. Alderman Luneau mentioned the crow issue in Taylor Park which he believes would be a public safety related issue. Alderman Young explained that Mackinac Island Park District in Michigan has the same problem and has been able to get rid of the birds with a laser purchased from Cabela's (no license required).
5. Re-Constitution Committee Report (Tim Hawkins).  
Alderman Hawkins stated that the next Reconstitution meeting will be held at the BFA Library Wednesday, November 16<sup>th</sup> at 7pm at which time Committee assignments will take place. Each committee member will make three preferences and the committee

would like to limit each member to two committees. The sub-committees are broken down into: Government, Asset, Legal, Finance, Schools, Administration and a few others. Alderman Hawkins stated that all of the meetings are warned and he expects that speakers will attend the next meetings from towns that have and have not successfully merged so they can discuss pros and cons of each. The committee will also get to the business of putting the budget together. Alderman Luneau asked if the first meeting was well-attended. Alderman Hawkins stated that all members attended but one.

**Agenda item #7 and #8 were discussed next followed by agenda item #6.**

6. Federal Street Purpose and Need Approval (D&V).

Peter Cross of Cross Consulting explained that he previously asked the Council to approve the Federal Street Purpose and Need Statement in May and has been since operating under that approval. As the project has progressed, there are some updates that need to be made and the approved version would be the official copy submitted. The language in the new Federal Street Purpose and Need Statement emphasizes economic competitiveness and livability which are expected to be important criteria in the next round of TIGER transportation grants. Emphasis on the multi-modal transit center has also been decreased, as that project is too far out to be included and causes unnecessary complications in the permit process. Mr. Cross explained that a concept for Federal Street has been devised with a variation of alternatives and will be proceeding with a public hearing at the BFA Library on November 29<sup>th</sup> at 6:30pm where VHB will present their initial concepts and alternatives for Lake and Federal Street and Lower Welden and Federal Street. After this phase is complete, the next step will include the Environmental permitting aspect phase which could take up to a year. Mr. Cloud stated that they are trying to get ready for the next round of Tiger grants. Alderman Young stated that there is mention of the "West side of Lake Street" in the Purpose and Need Statement but there is only a North and South side of Lake Street. He believes it could have intended to read "West side of Federal Street." Mr. Cross will check with VHB so the statement is corrected. **A motion was made by Alderman Spooner; seconded by Alderman Peters to approve the Federal Street Purpose and Need Statement pending the correction regarding Lake Street. Vote was unanimous, 6-0.**
7. Public Hearing on Champlain Housing Trust application for \$310,000 in Vermont Community Development Funds for renovation of Fairfield and Lincoln Street Apartments (CHT Representatives and Chip Sawyer).

Mr. Sawyer was joined by Amy Demetrowitz, President of Champlain Housing Trust. Mr. Sawyer explained that the City can apply for a grant through Champlain Housing Trust. Ms. Demetrowitz explained that CHT is asking that the City apply for \$310,000 of federal money that would come from the State and go into this project. The project involves the renovation of three existing buildings in St. Albans that include a total of 21 affordable rental apartments: the former Fairfield Street School, 101 Fairfield Street and 61 Lincoln Avenue. The buildings are currently owned by a tax credit partnership of which the Champlain Housing Trust is the managing general partner. CHT will refinance the

buildings to get them into good condition for the next 15 years. The project has met its 15-year tax credit compliance period which means that the partnership no longer needs to operate under the tax credit program requirements and the limited partner can now exit the partnership. Ms. Demetrowitz explained that there are structural, energy and mechanical system improvements needed. This grant will allow improvements to the buildings and ensure that rent stays low for tenants. The City will benefit by providing affordable housing for members of the community and will help preserve the buildings that otherwise would not get refurbished. Alderman Luneau asked if the parcels will be assessed after the improvements are done. Ms. Demetrowitz explained that the rent will drive the assessed value and must adhere to State regulation for low-income housing. CHT has included a budget of \$10,000 in the application for the City's time to administer the grant as well as any legal fees incurred. Alderman Hawkins asked if the City would have any liability exposure. Mr. Sawyer explained that part of the legal time would be used to ensure the City ventures into this project risk-free.

8. Consider resolution in support of CHT application for CDBG funds (D&V).  
**A motion was made by Alderman Spooner; seconded by Alderman Young to accept the resolution in support of CHT application for CDBG funds, pending it does not use any of the City's revolving loan funds. Vote was unanimous, 6-0.**
  
9. Recess and Open as Liquor Control Board.  
**A motion was made by Alderman Spooner; seconded by Alderman Hawkins to recess out of regular session and commence as Liquor Control Board at 7:11 p.m. Vote was unanimous, 6-0. (See Liquor Control Board minutes).**
  
10. Board Appointments
  - a. Downtown Board (D&V).  
The 13 board members appointed to the City of St. Albans Downtown Board are: Elizabeth Gamache (3-year term), Laz Scangas (3-year term), Sandy Mayotte (3-year term), Jim Walsh (3-year term), Tim Hawkins (2-year term), Jon Holzscheiter (2-year term), Mike McCarthy (2-year term), Jeff Young (2-year term), Jeff Bean (1-year term), Jamie West (1-year term), Peter Ford (1-year Term), Mike Blouin (1-year term) and the City Manager (ex-officio and nonvoting). Mr. Cloud explained that Council has been working to merge the former SAFF with the Downtown Board to provide a unified mission, goals and objectives for advocacy, project planning, and implementation. The CRA was signed at the last council meeting and the members, all of whom were appointed by City Council will have joint jurisdiction. **A motion was made by Alderman Spooner; seconded by Alderman O'Grady to approve the Downtown Board presented with revised copy including 13 members. Alderman Hawkins and Young abstained from voting. Vote was unanimous, 4-0.**

b. DRB: Jim Walsh (D&V).

Mr. Cloud explained that Jim Walsh and Kim Gross were supposed to be appointed to the Development Review Board in March and this is on the agenda tonight as a housekeeping measure. Mr. Cloud suggested that they be appointed at least through the end of the calendar year. **A motion was made by Alderman Hawkins; seconded by Alderman Spooner to appoint Jim Walsh to the DRB for a term that does not exceed January 31, 2012. Vote was unanimous, 6-0.**

c. DRB: Kim Gross (D&V).

**A motion was made by Alderman Hawkins; seconded by Alderman Spooner to appoint Kim Gross to the DRB for a term that does not exceed January 31, 2012. Vote was unanimous, 6-0.**

d. NRPC Brownfield Committee: Chip Sawyer (D&V).

The Northwest Regional Planning Commission Brownfield Committee under the Brownfield Program utilizes EPA funds to assist landowners in acquiring assessments of their Brownfield property and in developing corrective action plans. The committee reviews all nominations for program assistance and decides which sites are assessed. **A motion was made by Alderman Peters; seconded by Alderman Young to appoint Chip Sawyer to NRPC Brownfield Committee. Vote was unanimous, 6-0.**

11. Assessor's Errors and Omissions, Poquette (D&V).

Ms. White explained that Paul Poquette's properties located on Federal Street and Kingman Street were reappraised and the two properties were combined into one parcel. During the reappraisal, a portion of the property was double counted and the actual square footage is 3,972 square feet less than recorded. The property tax bill will decrease approximately \$1478.28. **A motion was made by Alderman Young; seconded by Alderman Spooner to approve error and omission. Vote was unanimous, 6-0.**

12. Finance Report.

Ms. Strait explained that at the end of October, we are 1/3 through our fiscal year. The financial statement represents the exercise of encumbering any capital items for which we have not spent any money. The General Fund, at the end of October has a \$129,000 surplus. The water fund has a \$22,320 deficit; the wastewater fund has a \$46,443 surplus.

**Agenda item #16 was discussed next followed by agenda item #13.**

13. Request to authorize funds to prepare TIF application and provide cash match for Fonda cleanup activities (D&V).

Mr. Cloud explained that there is a need for a Tax Increment Financing (TIF) application. Funds are available within our existing budget to pay for the application; we are requesting approval to utilize these funds. TIF allows a municipality to complete public

improvements (streets, sidewalks, stormwater infrastructure, water and wastewater infrastructure, parking structures, etc.) and pay for those improvements using the incremental tax revenues that derive from new development within a specified district. The two priorities are to hire professional assistance to prepare an application for a TIF District and provide local matching funds for the Fonda demolition project. The amount needed for the TIF application as proposed by White & Burke is \$25,000 and can be covered from the City's working capital fund and \$56,000 for Fonda matching which can be covered by the City's Planning and Development fund and health insurance savings. The unanticipated expense for the Fonda match has resulted because our federal funders have determined that the redevelopment planning activities such as the Energy Feasibility study conducted by Bonhag are not eligible due to their non-relation to cleanup activities.

**A motion was made by Alderman Spooner; seconded by Alderman Peters to authorize funds in the amount of \$25,000 from budget stabilization or cash flow as available to prepare TIF application. Vote was unanimous, 6-0.**

**A motion was made by Alderman Young; seconded by Alderman Spooner authorize funds to provide cash match for Fonda cleanup activities. Vote was unanimous, 6-0.**

14. Consider approval of 120 day option on Fonda property to Encore Redevelopment, an energy development company in Burlington, VT (D&V).

As the leading idea for redevelopment of the Fonda property continues to be some type of alternative energy facility, Mr. Cloud explained that he has had a series of meetings with Encore Redevelopment and PC Construction. Both companies have strong connections to energy investors, power purchasers, and experience developing energy facilities. Encore Redevelopment is ready to prepare some financial models and approach investors and power purchasers about the project and in doing so, needs site control to conduct some due diligence and see if they can structure a deal. Encore requests 120 days following execution of the agreement to perform due diligence activities related to the site. The agreement allows an option with an extension for an additional term of 120 days provided Encore submits such request 15 days prior to termination of this agreement. Alderman Luneau suggested a monetary value be attached to the agreement in exchange for the 120 day tie-up. Alderman Hawkins stated he would like to exclude the option in the agreement that allows Encore to request an extension of an additional 120 days. **A motion was made by Alderman Young; seconded by Alderman Peters to approve the 120 day diligence period on Fonda property to Encore Redevelopment, excluding the option to request an extension pending Council's approval. Vote was unanimous, 6-0.**

15. Resolution to authorize refunding of bonds for water meters to take advantage of improved rates offered by Municipal Bond Bank (D&V).

Ms. Strait explained that the Municipal Bond Bank is offering a refinancing with improved rates and is looking for Council to authorize refunding of bonds for water meters to take advantage of these improved rates. The bond originated in 1996 in the amount of

\$4,437,400.00 with a 4.5% interest rate. The remaining balance now owed is \$1,600,000.00. The bond bank approached the City 4 months ago because they were doing a refinancing and suggested the City take part in that refinancing. If executed, the City will save \$248,000 over the remaining life of the bond on principle and interest through 2036 with a new interest rate of 3.6%. **A motion was made by Alderman Young; seconded by Alderman Spooner to authorize refunding of bonds for water meters to take advantage of improved rates offered by Municipal Bond Bank. Vote was unanimous, 6-0.**

16. Authorization of CVPS and Fairpoint Poles and Wires (Allen Robtoy).

Mr. Robtoy explained that he conducted a visual survey with Fairpoint and counted 50+ double telephone poles and said he stopped allowing permits for new poles until the double poles are removed. After a more recent visual survey, Mr. Robtoy states there are less than 5 double telephone poles left in the City. Mr. Robtoy urges the authorization of CVPS and Fairpoint be signed for the replacement of damaged poles and the expansion of broadband. **A motion was made by Alderman Spooner; seconded by Alderman Peters to authorize CVPS and Fairpoint Poles and Wires. Vote was unanimous, 6-0.**

17. Minutes (D&V).

a. Regular Meeting – 10/11/11.

**A motion was made by Alderman Spooner; seconded by Alderman O’Grady to approve minutes from October 11, 2011 Regular Meeting. Vote was unanimous, 6-0.**

b. Liquor Control Board – 10/11/11.

Minutes were approved during Liquor Control Board.

18. Warrants (D&V).

a. 10/20/11.

**A motion was made by Alderman Spooner; seconded by Alderman Peters to approve warrants from October 20, 2011. Vote was unanimous, 6-0.**

b. 10/27/11.

**A motion was made by Alderman Spooner; seconded by Alderman Peters to approve warrants from October 27, 2011. Vote was unanimous, 6-0.**

c. 11/3/11.

**A motion was made by Alderman Spooner; seconded by Alderman Peters to approve warrants from November 3, 2011. Vote was unanimous, 6-0.**

d. 11/9/11.

**A motion was made by Alderman Spooner; seconded by Alderman Peters to approve warrants from November 9, 2011. Vote was unanimous, 6-0.**

**A motion was made by Alderman Spooner; seconded by Alderman Hawkins to adjourn meeting at 8:58 pm. Vote was unanimous, 6-0.**

19. Executive Session (if necessary).

Respectfully Submitted,

Kristen Knoff, Admin. Coordinator