

St. Albans City Council
Minutes of Meeting
Monday, May 14, 2012
City Hall, Council Chambers

APPROVED

A regular meeting of the St. Albans City Council was held on Monday, May 14, 2012, in the Council Chambers at City Hall at 6:30 p.m.

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

Council Absent: None absent.

Staff Present: Dominic Cloud, City Manager; Peg Strait, Director of Finance and Administration; Chip Sawyer, Director of Planning and Development; Sue Krupp, City Clerk and Treasurer; Allen Robtoy; Director of Public Works.

Visitors: See attached sign-in sheet.

Executive Session I:

A motion was made by Alderman Young; seconded by Alderman O'Grady to enter into Executive Session I at 5:00 pm, to consider civil matters where premature disclosure would clearly compromise the City.

A motion was made by Alderman Young; seconded by Alderman Peters to exit Executive Session I at 6:30 pm. Vote was unanimous, 6-0.

Open Session:

1. **Pledge of Allegiance.** Mayor Gamache led the Pledge of allegiance at 6:40 pm.
2. **Public Comment.** No public comment was made.
3. **CVPS Presentation on City Trees.**
Dwayne Dickenson, the Manager of the Forestry Program at CVPS was present. Mr. Dickenson explained that he met with Jeff Young, the City's Tree Warden, to determine which trees in the City would need to be pruned or replaced and will possibly schedule tree removals and replacements on Congress, Fairfield, Bank, and North and South Main Streets. Mr. Dickenson further explained that a lot of the trees on those streets were planted before the power lines were present and a lot of species, many of which are now decaying, were planted in the wrong location. In addition, some species, such as Box Elder are not the type of tree to use as a street tree as their root growth can destroy sidewalks. Mr. Dickenson is offering to buy a tree for every tree removed that is compatible with the power lines. Mayor Gamache asked if there is a maximum monetary amount that CVPS is willing to offer and also asked if only the trees identified on the abovementioned streets would be included in this offer. Mr. Dickenson stated that there will be no max and that the goal would be to focus on the main corridor locations in the City this year and if additional trees need to be replaced, they will be able to look into

further replacements on a case-by-case scenario. Mr. Dickenson explained that the goal is to replace these trees by September 1, 2012 as the CVPS project is now fully funded. He also recommends that the sooner the trees are replaced, the better, as it is currently planting season. Mr. Hawkins asked what the timeframe would be for this project to begin. Mr. Dickenson stated that it could happen within weeks as soon as Mr. Young is able to put an inventory list together.

4. Tree Warden Report (Jeff Young).

Mr. Young explained that he began working on a corridor project last year and was able to secure a \$25,000 matching Canopy Grant from the State as well as some additional private funding. North Main was the best candidate for these funds based on the amount of rot found, particularly in the Norway Maples and Ash trees. Mr. Young added that 40 new trees were planted last year on North Main Street.

a. Fairfield Street

Mr. Young explained that the purpose of the project on Fairfield Street is to resolve long standing sidewalk and line wire safety issues and improve the aesthetic appeal of the street. Mr. Young further stated that there are many trees on Fairfield that are nearing the height of the telephone wires and some that have "V-shaped" branches with wires running through them. Mr. Young added that these trees are of the greatest priority to be replaced and it is his goal to replace all of these trees at no cost to the City's taxpayers. In addition, the trees replaced will be of a species that will not grow into the telephone wires and will allow underwire trees to replace current underwire trees. Additionally, Mr. Young would like to create a tree guideline for homeowners so that if trees are planted on their own property, the proper species of trees are being planted to avoid the problems we are facing now. Mr. Young has two plans prepared: a phased in approach that could take place over several years and a one-shot approach to replace all of the high-priority trees at once. Mr. Spooner asked Mr. Young what will be done to protect the trees after they're planted. Mr. Young explained that if trees are vandalized, he will continue to replant and fix them. Mr. Charlie Moore asked what size trees will be planted. Mr. Young stated they will be of 2-inch variety. Discussion ensued about the possibility of replacing some trees on Fairfield and some on South Main instead of replacing all of the Fairfield Street trees so that aesthetically, the street doesn't look depleted. Mr. Young stated that South Main will not be ready yet. Mayor Gamache asked Mr. Young what the public should expect. Mr. Young stated that he would like to have the project finished by June and his plan is to go forward with the one-shot approach on Fairfield Street while we have a monetary guarantee from CVPS. Mr. Dickenson added that another option would be to conduct a soil injection with a phased-in approach which improves the root system but inhibits the upper growth of the trees and would prolong the need for certain trees to be replaced for up to 3 years.

A motion was made by Alderman O'Grady; seconded by Alderman Peters to support the tree warden, Jeff Young's, decision to remove and replace high-priority trees on Fairfield Street as he saw fit. Vote was unanimous, 6-0.

b. Driscoll Drive

Mr. Young explained that Driscoll Drive is the only street in the City that has a median. The maintenance of the median has not continued and the lilacs are overgrown. The purpose of this project is to resolve long standing stormwater issues and improve the aesthetic appeal of the neighborhood. There will be no intentions to place park benches, establish sidewalks or any other "park-like" amenities. Mr. Young explained that one end of the median has already been restored. Mr. Young proposes to replace the shade trees and add shrubbery trees with the addition of crushed stone which will help with drainage and run-off issues. He would also create a barrier so that the shrubs do not creep up to the street again. The expense of this project would be minimal and could be covered under the current street tree budget. Mayor Gamache asked if any trees would be removed that are currently there. Mr. Young explained that everything will be removed as almost all of the plants currently there are of an invasive species. Mr. Young stated that the plan is to finish the project by next year and will replace everything with the addition of the drainage feature. In addition, Mr. Young also stated that he will notify the residents of Driscoll Drive of the phases of this project in a second correspondence. The City also agrees to appropriate adequate and reasonable annual maintenance funds for this parcel going forward in the future. The detailed tasks and schedule of this project are as follows.

5. Walk and Bike St. Albans Presentation

David Hutchinson was present among other members of the Walk & Bike Saint Albans Committee. He explained that they are a group that was initiated after a conversation on Front Porch Forum last year over a plan to create a walk and bike path that would extend from the City to the Bay in addition to a path that would extend from BFA to the Complex. The Committee has a face book page and a following through a List Serve. The Committee also conducted a survey completed by 269 City residents and 188 Town residents with results yielding strong support for safe walking/jogging and bicycling opportunities and would support such with tax dollars. The Committee recently received a \$1,000 grant and on June 9th, there will be a "Rolling Party" with activities around Taylor Park and Church Street, including safety presentations by the St. Albans Mountain Bike Club and Department of Health. The "Rolling Party" will also include an organized bike ride from Taylor Park to the Bay and the event will conclude with a Town forest walk. The Committee's goal is to have a presence in the City and Town and to support all biking and walking activities.

6. Peddler's Licenses.

a. Gary Hathaway, DBA Mr. Ding-a-ling (D&V)

Mr. Hathaway was not present. Mr. Sawyer explained that Mr. Hathaway is the owner of "Mr. Ding-A-Ling", an established, mobile ice cream business in the City and does not need to be present for the license to be approved by council.

A motion was made by Alderman Doyle; seconded by Alderman Hawkins to approve a peddler's license for Gary Hathaway, DBA Mr. Ding-a-ling under the conditions proposed by staff in staff report. (See Attached Staff Report). Vote was unanimous, 6-0.

b. William Balentine, DBA One Guy's Lunch Box (D&V).

Mr. Balentine explained that he would like to park his truck at the corner of Pine Street and Lake Street to operate his new mobile business, One Guy's Lunch Box. He has a space rented in a private parking lot with a public bathroom available and would follow the same regulations that a restaurant would be subject to. Mr. Balentine further stated that he has an appointment with the inspector tomorrow and has prior experience in the restaurant business. One Guy's Lunch Box hours of operation would be from 10 am – 7 pm on Thursdays, Fridays and Saturdays with both lunch and dinner available. Mr. Sawyer explained that a peddler's license would be sufficient for this case where zoning would not come into play.

A motion was made by Alderman Doyle; seconded by Alderman Spooner to approve a peddler's license for William Balentine, DBA One Guy's Lunch Box, and allow that the window of operation be between 9 am through 9 pm under the conditions proposed by staff in staff report. (See Attached Staff Report). Vote was unanimous, 6-0.

7. Committee on Public Safety & Quality of Life Report (Chad Spooner).

Mr. Spooner explained that the Public Safety & Quality of Life Committee met on May 9, 2012, where discussion of the 2012/2013 paving/roadway improvement project and sidewalk project took place. The schedule of paving/roadway improvements are as follows:

Paving/Roadway Improvement Project

Lower Newton Rte. 7 West City Limits	Cold planing and paving
Lower Welden – Tracks West to Russell	Paving
Bank St. – Smith to High	Cold planing and paving
Diamond St. – Burnell Terr. to Lincoln Ave.	Paving
Ewell Ct. – All the way	Paving
South Elm St. – Lake to Lo. Welden St.	Paving
Bowles Lane Paving	Paving
Guyette Circle: Drainage Improvements	Culvert installation & burial
Guyette/Bowles Engineering	Paving, sidewalk, right of way, design

The schedules of sidewalk improvements are as follows:

Sidewalk Improvement Project

Congress Street, North Side	Sidewalk reconstruction
Lake Street: Houghton to Tracks, South Side	Sidewalk reconstruction
High Street: Congress to Brainerd, West Side	Sidewalk replacement
Cedar Street: Lake to Pearl, West Side	Sidewalk replacement
Pearl Street	Engineering for sidewalks
Brainerd Street: Main to Messenger	Engineering for sidewalks
Diamond Street: South Side, starting at Main	Engineering for sidewalks
Aldis Street Engineering and Design	Sidewalk, right of way, design

Mr. Spooner also explained that during the Public Safety & Quality of Life meeting, a number of issues were listed and prioritized to be addressed going forward in the following order:

Greenbelts & Parking Addendum, Alcohol Ordinance, Truck Ordinance, Trash, Traffic Calming Measures and Jaywalking.

8. Committee on Finance Report (Tim Hawkins). Nothing to report until June meeting.

9. Clerk's Report (Sue Krupp).

Ms. Krupp explained that the Board of Abatement and the Board of Civil Authority will meet on Wednesday, May 16th at 5:30 pm. In addition, the Clerk's office will now be open on the last Saturday of each month from 8:00 am - 12:00 pm beginning in June.

10. Mayor's Report.

Mayor Gamache explained that she will also hold office hours on the last Saturday of each month from 8:00 am – 12:00 pm beginning in June and if the weather is nice, she may be available in the park vs. her office inside City Hall. She is also available to meet with the public by appointment during the week. Mayor Gamache also added that she has had the pleasure to be a part of the following events/organizations since the last council meeting: The Downtown Designation, FCIDC board meeting, St. Albans House unveiling, Notman, Muehl Associates Open House, Green Up Day under the leadership of the boy scouts, Chamber of Commerce Annual Meeting, Caring Communities recognition of Alcohol Awareness Month, Franklin County Quilt Show, Maple Festival, VFW ceremony which honored Corporal Jason Wetherby and Captain Robert Trainer, St. Albans Museum, NCSS Youth Advisory Board and lunch with Senior Center.

a. Appointment of Council Member to Transportation Advisory Committee (D&V).

Mr. Doyle expressed his interest in becoming a member of the Transportation Advisory Committee.

A motion was made by Alderman Hawkins; seconded by Alderman O'Grady to appoint Ryan Doyle to the Transportation Advisory Committee. Vote was unanimous, 6-0.

11. Recognition of Sarah Duffy for National Government Finance Officers Association Award (Peg Strait).

Ms. Strait explained that she would like to congratulate Sarah Duffy, City Accountant, for being selected as a 2012 recipient of the Government Finance Officers Association's (GFOA) \$5,000 Government Finance Professional Development Scholarship. The GFOA scholarship program was established by the GFOA to recognize outstanding performance in graduate public finance programs and to encourage careers in government. This year there were five awards nationwide. The committee was impressed with Sarah's academic achievements and her course work at Rutgers Business School in New Jersey, where she is working toward a Master's of Accountancy in Governmental Accounting. The award will be presented to her at the GFOA 106th Annual Conference in Chicago next month.

12. Vermont Municipal Bond Bank: Clarification of Practice (Peg Strait) (D&V).

Ms. Strait explained that upon notification from People's United Bank, the City's loan will soon be due for repayment. The Financial Management Section will review the loan and determine whether the City needs to start repayment or change the repayment schedule. This practice was found to create problems with the Vermont Municipal Bond Bank's new accounting system practices and a change in practice was requested. Ms. Strait explained that the only change is

that instead of starting payment on July 1, 2012, we would begin paying the loan on September 1, 2012.

A motion was made by Alderman Spooner; seconded by Alderman Hawkins to authorize Mayor Gamache to sign restructuring of the Vermont Municipal Bond Bank Clarification of Practice. Vote was unanimous, 6-0.

13. First Reading: Amendments to Scofflaw Ordinance.

Lieutenant Dunn explained that the Police Department would like to add use of a parking boot to the current scofflaw ordinance under Section 5502. The purpose of this is to act as enforcement for protection of the public peace, safety and welfare, and the safeguarding of property, and to provide for additional penalties for scofflaws who habitually violate the parking regulations of the City. The change would also eliminate the charges incurred for towing and storage fees that are currently passed down to those who breach the parking regulations. Lieutenant Dunn further explained that for an offender to receive immobilization or towing of their vehicle, the owner must have two or more unpaid parking violations. At the time of immobilization, the Officer shall cause to be placed on such vehicle, in a conspicuous manner, notice sufficient to warn any individual to the effect that such vehicle has been immobilized and that any attempt to move such vehicle might result in damage to such vehicle. The City will not be liable for any damage to any vehicle as a result of any attempts to tamper with, damage, remove or move the vehicle which has been booted. The owner of such towed or immobilized vehicle shall be permitted to secure the release of the vehicle upon payment of all outstanding fines and a booting fee of \$50 for such immobilization and/or the full payment of any assessed towing and storage fees. In the event the owner of the immobilized vehicle fails to make the payments required within a period of 24 hours from the time of such immobilization, the Police Department shall cause said vehicle to be towed away at the owner's expense in addition to any outstanding unpaid tickets and the \$50 booting fee. Mr. Hawkins asked if there is any way to ensure that the recipient who is sent notice of parking violations, actually receives the notice. Ms. Dunn stated that multiple reminders are sent to the recipient before they are added to the Scofflaw Ordinance. Mr. Cloud added that he would like to allow the Chief to consider the option of sending notices through certified mail and will be brought for consideration at second reading.

14. JAG Grant Authorization (Judy Dunn) (D&V).

Lieutenant Dunn explained that the Police Department received notification that they are again eligible to receive grant money from the JAG program in the amount of \$15,743. There were 8 towns and cities in the State of Vermont including St. Albans who are eligible under certain provisions. Mr. Cloud asked what the JAG funds would be used for. Ms. Dunn responded that the funds would be used for lethal capabilities, equipment for rapid response team, interactive whiteboard and sniper funds.

A motion was made by Alderman Spooner; seconded by Alderman Young to authorize staff to continue to use JAG funds for the operation of the Police Department. Vote was unanimous, 6-0.

15. 2011 Bridge Inspection Request (D&V).

Mr. Robtoy explained that the Agency of Transportation (AOT) inspects all bridges exceeding 20 feet in span length on a 24 month cycle. Based on their inspection of the bridge located on Lemnah Drive over Stevens Brook, the AOT would like the City to acknowledge that the guardrail system along both sides lacks structural integrity to resist collision impact and the right bridge rail system is in need of repairs.

A motion was made by Alderman Spooner; seconded by Alderman O'Grady to authorize AOT bridge inspection's request. Vote was unanimous, 6-0.

16. Request to transfer funds from the Water Fund Reserves to pay for upgrades to radio telemetry system (Allen Robtoy & Dominic Cloud) (D&V).

Mr. Cloud explained that the funds that come in from the allocation fees are reserved for appropriation for future years to be used for unanticipated items or specific projects. The water fund currently has a healthy balance between \$300,000 and \$400,000. Mr. Cloud is requesting that council approve \$47,000 which would be used to pay for upgrades to the radio telemetry system which is the communication system between all of the City's plants.

A motion was made by Alderman Hawkins; seconded by Alderman Young to authorize transfer of funds from the Water Fund Reserves to pay for upgrades to the radio telemetry system. Vote was unanimous 6-0.

17. Update on Fonda Redevelopment Plans (Dominic Cloud).

Mr. Cloud explained that the City previously signed an Option agreement with Encore Redevelopment and PC Construction to explore a combined heat and power facility at Fonda. This agreement expired on April 18, 2012 and neither party sees cause to renew it at this time. In all cases, the thermal demand was not large enough or consistent enough to offset the capital costs of constructing a power facility.

Mr. Cloud further explained that the biggest problem we now face is that there is no definitive Redevelopment Plan for this site. Staff increasingly believes that market rate senior housing could be a strong possibility based on demographic changes and successful projects in St. Albans in the past. Mr. Cloud added that the City will also continue to pursue manufacturing and light industrial but if the goal is to redevelop the site and produce as much tax revenue as possible, market rate senior housing may be the highest and best use of the site. The property assessed at \$9.2 million when a housing scenario was plugged into the Tax Increment Financing software. Mr. Cloud stated that high cleanup costs remain for a residential use, however the combination of our experience receiving federal cleanup grants, and the ability to use tax increment financing make this less of a problem than in the past.

Mr. Cloud stated that in the coming weeks, staff will be working on the following:

- Analyzing what zoning changes are necessary to facilitate a market rate housing project at Fonda;
- Developing a plan to market the site;
- Promoting the site to developers who have expressed interest in the site.

18. Introduction of Zoning Administrator, Brad Lanute (Chip Sawyer).

Mr. Sawyer welcomed and introduced the new Zoning Administrator, Brad Lanute. Brad is currently finishing up his Master's Degree in Natural Resources at UVM. Prior to that, Brad was a graduate of Temple University with a BA in Mathematical Economics.

19. First Hearing on Revisions to Municipal Plan (Chip Sawyer).

Mr. Sawyer explained that the City Planning Commission has been working with the community on revisions that re-write much of the Municipal Plan, profit from substantial public input, acknowledge recent initiatives and accomplishments, and lay out a direction for City activities for the next 5 years and more. The plan is vastly different from the one that preceded it and was funded by a municipal planning grant. The Planning Commission approved the revised Plan after a public hearing on January 23, 2012. Mr. Sawyer added that the following are reasons to have a Comprehensive Municipal Plan:

- The Plan is required for the City's Land Development Regulations;
- Apart from the above regulations, the Plan is also an effective foundational document on which to base other City ordinances and non-regulatory initiatives, such as Tax Increment Financing;
- The Plan is a compendium of data and input on the City;
- The Plan is required for many State grants and regulatory approval programs, such as the Designated Downtown and Growth Center programs.

Additionally, Mr. Sawyer explained that the City shares the goal to maintain the historic settlement pattern of our Downtown and City; provide a strong and diverse economy with rewarding job opportunities; broaden access to educational and vocational training opportunities for people of all ages; provide for safe, convenient, economic, and energy efficient transportation in the City; to identify, protect, and preserve important natural and historic resources; to maintain and improve the quality of air, water, wildlife, and land resources in the City, including the management of stormwater; to encourage the efficient use of energy and development of renewable energy resources; to maintain and enhance recreational opportunities; to encourage and strengthen the City's ties to agricultural and forest industries; to provide for the wise and efficient use of natural resources; to ensure the availability of safe and affordable housing; to plan for, finance, and provide an efficient system of public facilities and services in the City; and to ensure the availability of safe and affordable childcare.

Mr. Sawyer added that this is the first of two required public hearings that council needs to hold to adopt the plan. After the second hearing, council can vote to approve the plan.

Property Assessed Clean Energy (PACE) "Quick Start" List (Chip Sawyer) (D&V).

Mr. Sawyer explained that he is asking council to approve the Property Assessed Clean Energy (PACE) "Quick Start" list which is a group of communities that receive consultation and information regarding the PACE program from the state. PACE is a voluntary mechanism allowing individuals wishing to make eligible energy improvements to their home to opt into a special assessment district created by their municipality. Using PACE, energy efficiency and/or renewable energy improvements can be funded by taxable municipal bonds or other municipal debt, and repaid over up to 20 years. Payment of such improvements would be incorporated into the property owner's tax bill and improvements are limited at 15% of the home's assessed property value and capped at \$30,000. Mayor Gamache asked what type of improvements would be covered under this program. Mr. Sawyer responded that some improvements covered

by PACE include energy efficient insulation and heating systems. He further added that this program would benefit the City as homeowner's would be increasing their property values, hence increasing the overall tax base.

A motion was made by Alderman Hawkins, seconded by Alderman Spooner to have council authorize the Property Assessed Clean Energy (PACE) program administration and have the Mayor sign the appropriate documentation as the authorized official. Vote was unanimous, 6-0.

20. Update on Revisions to City Website (Kristen Knoff).

Ms. Knoff explained that a GovOffice design parameter, similar to the Ridgefield, NJ website (www.ridgefieldboro.org) has been chosen and is currently working alongside Chip Sawyer on specific features to implement in the new City of St. Albans site. Such features include "Roles & Responsibilities" and communication efforts such as Gov Delivery or GovOffice's own bulk email tool which will allow the public to subscribe to information. Ms. Knoff added that another feature being researched is Google Groups which allows users to find discussion groups related to their interests and participate in threaded conversations. The average start to finish time for this project is 8 weeks.

The following represents the timeline and steps for the website project:

1. Work with graphic designer through draft/revision process;
2. Designer will send tow drafts via URL at which time City can tweak drafts;
3. Final revision stage/acceptance stage;
4. Programmers will then put design on test site to ensure it looks & acts as it should;
5. Test site will be applied to existing site (no down time or "under construction" period).

21. Minutes (D&V).

a. 4/9/12.

A motion was made by Alderman Spooner; seconded by Alderman Young to approve minutes from April 9, 2012. Vote was unanimous, 5-0. Alderman Doyle abstained.

b. 4/30/12.

A motion was made by Alderman Spooner; seconded by Alderman Young to approve minutes from April 30, 2012. Vote was unanimous, 6-0. An error was also noted as the minutes indicated that Mr. Doyle was not present at the 4/30/12 meeting. A correction will be made to indicate his presence.

22. Warrants (D&V).

a. 5/9/12.

A motion was made by Alderman Young; seconded by Alderman Spooner to approve warrants from May 9, 2012. Vote was unanimous, 6-0.

b. 4/19/12.

A motion was made by Alderman Young; seconded by Alderman Spooner to approve warrants from April 19, 2012. Vote was unanimous, 6-0.

23. Other Business.

Mr. Spooner stated that the Trailer Park on Nason Street is having issues with water pressure. Mr. Cloud stated that the park is on a private system. Mr. Cloud will get more information for council.

Mr. Hawkins would like to add a topic to discuss the Maple Festival as well as the Joint Study Committee to the next agenda.

Ms. Strait explained that Kelly Viens is stepping down as Assistant Treasurer and Allen Robtoy is taking her place. A corporate bank resolution was signed by council adding Mr. Robtoy as Assistant Treasurer.

Enter Executive Session II:

A motion was made by Alderman Spooner; seconded by Alderman Young at 9:37 pm to adjourn open session and enter into Executive Session II to consider civil matters and real estate where premature disclosure would clearly compromise the City. Vote was unanimous, 6-0.

A motion was made by Alderman O'Grady; seconded by Alderman Peters to exit Executive Session II at 10:00 pm. Vote was unanimous, 6-0.

Respectfully Submitted,

Kristen Knoff, Admin. Coordinator