

**St. Albans City Council
Minutes of Meeting
Monday, June 11, 2018
City Hall, Council Chambers**

A regular meeting of the St. Albans City Council was held on Monday, June 11, 2018, at 6:30 pm in the City Hall Council Chambers.

Council Present: Mayor Tim Smith; Aldermen: Michael McCarthy, Tim Hawkins and Chad Spooner; Alderwomen: Marie Bessette and Kate Laddison.

Council Absent: Alderman Jim Pelkey.

Staff Present: Dominic Cloud, City Manager; Chip Sawyer, Director of Planning & Development; Curry Galloway, City Clerk; Matt Mulheron, Deputy Fire Chief; Marty Manahan, Director of Operations & Business Development & Tom Leitz, Director of Administration.

Visitors: See attached sign-in sheet.

1. Executive Session re: Contracts (second floor).

a. Consider a finding that premature disclosure of above matters could compromise the City (D&V).

A motion was made by Alderman Spooner; seconded by Alderman McCarthy to find that premature disclosure of above matters could compromise the City. Vote was unanimous, 5-0.

b. Consider a motion to enter Executive Session for purpose of discussing litigation, contracts and real estate development options (D&V).

A motion was made by Alderman Hawkins; seconded by Alderman Spooner to enter Executive Session at 5:30 for purpose of discussing litigation, contracts and real estate development options. Vote was unanimous, 5-0.

Alderman Hawkins arrived at 6:04 pm. Alderwoman Laddison exited at 6:18 pm.

2. Call to Order and Pledge of Allegiance in Council Chambers.

Mayor Smith called the meeting to order at 6:35 pm and led the pledge of allegiance.

3. Public Comment on items not on agenda.

Ms. Prent of Bank Street introduced herself and stated that she had some questions about the Maiden Lane/Congress Street project. Ms. Prent asked how the Maiden Lane project would affect her residence and explained that she's under the impression that the new housing is going to be double the occupancy than what currently exists. She is wondering where the access to parking will be located and noted that she has a shared driveway with the existing apartment complex. Mr. Cloud responded that he would be happy to set up a meeting to speak with Ms. Prent and the development team and walk her through the site plan. Mr. Cloud explained to Ms. Prent that one of the key points is that all of the new buildings will have parking underneath and he can show her where the access is located when they meet at a later date. Mr. Cloud stated that it's not so much an analysis of how many units the project is increasing by but rather the relationship between the number of units and the parking and the access. Ms. Prent asked if staff has also taken into consideration the student traffic. Mr. Cloud responded affirmatively. Mayor Smith noted that the existing building occupying the former Owl's Club is only half full.

Mr. Hawkins stated that it was initially with great surprise and disappointment that he learned the Kingman Street Klassic wasn't going to take place this year. For the past several years, that event

brought a lot of people to the Downtown and to the Farmer's Market. He later received a letter from Kathy Manahan after speaking to her that she decided after all to hold the event. Mr. Hawkins explained that Ms. Manahan receives very little recognition and was a pivotal part of the fountain project and hopes in the future that people get recognized for contributing to the community. He stated that he is hopeful that the City supports her and the event and provides any resources that she might need and thanked her for the work that she has done over the past several years organizing the Kingman Street Classic. Mayor Smith agreed and recalled that Ms. Manahan also organized the miniature golf event which drew people to the Downtown.

4. Consider adoption of FY 19 Water, Wastewater and Stormwater Utility Budgets (D&V).

a. City Manager Presentation.

Mr. Cloud explained that the Finance and Management team met with the Finance Committee recently to review the proposed budgets. He stated that there are 3 budgets and 3 fees; one for water, one for wastewater and one for stormwater. Mr. Cloud referred to the summary sheet in the handout and stated that the water and wastewater rates are combined and divided between sample users of 25,000 and 10,000 gallons per quarter. On the bottom chart, rates are broken out between water and sewer on a per 100-gallon basis. The stormwater equivalent residential unit (ERU) fee remains at \$2.50 per month or \$7.50 per quarter. Mr. Cloud explained that the lion's share of the increase is on the wastewater side at 6 percent and water at less than one percent. Within wastewater, there are two major cost drivers. The first is the additional \$71,875 that is necessary to build the capacity to service the debt on the upgrade that begins in FY 21. The other major cost driver is a new operator position, divided equally between the water and wastewater funds. Mr. Cloud explained that in recent years, staff has learned that it has eliminated too many staff from the water and wastewater treatment plants. These plants operate 24/7 and during intense weather events such as flooding, it's all hands on deck. Additional staffing is key to safety concerns and staff retention efforts. This addition accounts for the increase in the salary items in the processing plants. Other priorities of the council such as funding a stabilization fund, reserving allocation fees and having a strong CIP remain intact. The stormwater budget also remains at the level that was reviewed by the council during the General Fund budget development and stormwater ordinance processes.

b. Finance Committee Comments, Tim Hawkins.

Mr. Hawkins stated that the value of knowing water will be coming out of the faucet and being able to call the City when something goes wrong is priceless. He has a development in the Town and costs \$250/year for the required inspection to be completed by the State of Vermont. He explained that council remains mindful of people on fixed incomes and always keep that in mind when coming up with the budgets. He believes it is an extremely reasonable budget with a very modest increase.

Mr. Spooner noted what's been in the paper and on the news lately in Burlington, and believes the City is doing its fair share to help clean up the bay and doing its part in the process.

c. Public Comment.

No public comment was made.

A motion was made by Alderman Hawkins; seconded by Alderman Spooner to adopt FY 19 Water, Wastewater and Stormwater utility budgets. Vote was unanimous, 6-0.

5. Recess for Liquor Control (see separate agenda)

A motion was made by Alderman Spooner; seconded by Alderman McCarthy to recess for Liquor Control Board at 7:00 pm. Vote was unanimous, 6-0.

6. Consider Letter of Support for Federal Street Grant Application, Chip Sawyer (D&V).

Mr. Sawyer stated that staff is going to apply later this month to the Vermont Bike & Pedestrian Program for sidewalk work on Federal Street and will pick up where the project left off last year around Kingman Street. He explained that the proposal is to construct a sidewalk on the west side and reconstruct most of that sidewalk length on the east side. It's an older stretch of sidewalk that is uneven and the grass on either side has risen over time. Ice becomes a problem in the winter and water becomes an issue in the spring thaw or during rain events. Mr. Sawyer explained that Federal Street is on the City's Safe Routes to School route and links many different commercial uses with various different residential areas in that part of the City. He is writing an application to accomplish all of these goals and would also include a new curb, drainage improvements and a new crosswalk near the area of Hoyt Street and the creamery store as well as another new crosswalk at the top of Aldis Street on the west side. The grant would fund 80% so there is a 20% match which the City could fulfill from many different places. The grant application requires a letter of support from the council that the City is applying and that it recognizes the 20% match.

Mayor Smith asked if staff is looking at new curbs or just replacing them where they currently exist. Mr. Sawyer responded that staff is looking at building new curbs on the west side where that new sidewalk would go. Mr. Spooner asked if the sidewalk would be closer to the road than where it is located now. Mr. Sawyer responded negatively and said most of the west side slopes down away from the road and the curb would control the water runoff on the street. Mr. Spooner stated that the current sidewalk is almost nonexistent and asked if there were any concerns with people parking over the new sidewalk in relation to where their garages are located. Mr. Sawyer responded that it would be a part of the final design phase and staff would take a look at that. The City will have to take a look on a property by property basis. Mr. Hawkins stated that it's only the stretch from Aldis to Newton and there are about five residences along that stretch. Mr. Spooner stated that it's a great idea to have a sidewalk on both sides and seems logical.

A motion was made by Alderman Spooner; seconded by Alderwoman Laddison to approve letter of support for Federal Street grant application. Vote was unanimous, 6-0.

7. Resolution to apply to VT Sales Tax Reallocation Program for Main-Congress-Maiden Lane Project (D&V).

Mr. Sawyer stated that the City applied for this grant program for the Lake Street streetscape project in the Hampton Inn hotel. Under this program, when you have a large private development that is closely linked to a municipal project, the State will allow the municipality to have access to the sales tax paid by the contractors on the materials that they use to build the private development. That sales tax gets reallocated to the municipal project. Mr. Sawyer explained that staff has the project across the street in mind and is a text book case for this grant program. Staff is attempting to compile an application for this year's round and can apply next year if needed. This resolution is necessary to enable the application.

A motion was made by Alderman Hawkins; seconded by Alderwoman Bessette to approve resolution to apply to VT Sales Tax Reallocation Program for Main-Congress-Maiden Lane Project. Vote was unanimous, 6-0.

8. Consider adoption of following by resolution:

a. Permit Fees for construction and post-construction stormwater management (D&V).

Mr. Sawyer stated that the new stormwater ordinance lists documents that must be adopted by resolution of the council. These items include fees for stormwater regulation, a Construction Stormwater Guidance Document and the Stormwater Utility Fee Credit Manual. Mr. Sawyer recommended that the fees for stormwater regulation be included in the fee schedule for the zoning program. Staff suggests that fees not be added if someone is coming before the City for

Land Use Regulations and also doing Stormwater Management. Staff will, however, regulate erosion and stormwater management on some properties that otherwise would have been exempt from the Land Development Regulations. In that case, if a property owner is exempt, staff will just charge them the exact same fees for the erosion and stormwater management pieces. The basis of the fees is to capture some of the staff time and the implementation of the regulations so it's not all on the General Fund but at the same time, staff is looking for a simplicity to the way it is done.

Mr. Hawkins asked Mr. Sawyer if it ever came to his attention that there may be a problem with a property that would be unmanageable for the property owner or so onerous on them that they would not be able to meet the regulation. Mr. Sawyer stated that staff would try to find a way to be as much in line as possible with their original vision but also be in compliance. He added that the regulations allow for variances. Mr. Hawkins asked Mr. Sawyer if that's for new construction or existing. Mr. Sawyer responded that it's for both. In the case of the new rules for erosion control and stormwater management, there are feasibility considerations. He explained that there is a chapter in the State's stormwater manual discussing this and is also a consideration of the erosion handbook that he is suggesting people follow. Mr. Hawkins asked if people would be able to apply for credits from another property. Mr. Sawyer responded that you can do that for the fee but doesn't believe it can be done for the actual stormwater management. Mr. Hawkins stated that he wouldn't want someone to be obligated to have to do something that they were unable to do financially or physically. Mr. Sawyer stated that if that becomes a situation, staff could come to council to see if there's a regulatory fix. Mayor Smith noted that there was discussion about going to a half acre at the State level. Mr. Sawyer responded that it would mean the City would no longer have to carry out its stormwater management rule but there has been no new development.

Mr. Spooner asked Mr. Sawyer what the definition of an above ground pool is. Mr. Sawyer responded that if it is two feet deep, he doesn't believe it counts but in terms of erosion control, it would depend on how much earth is dug up. If no earth is dug up, it wouldn't count and would only be subject to the pool rules under the Land Development Regulations.

A motion was made by Alderman Hawkins; seconded by Alderman McCarthy to adopt permit fees for construction and post-construction stormwater management. Vote was unanimous, 6-0.

b. Construction Stormwater Guidance Document (D&V).

A motion as made by Alderman Hawkins; seconded by Alderman McCarthy to adopt construction stormwater guidance document as part of the stormwater regulations. Vote was unanimous, 6-0.

c. Stormwater Utility Fee Credit Manual (D&V).

A motion was made by Alderman Hawkins; seconded by Alderman McCarthy to adopt stormwater utility fee credit manual as part of the stormwater regulations. Vote was unanimous, 6-0.

9. Consider candidates for Downtown Board

Mayor Smith introduced Downtown Board candidates, Elizabeth Reed and John Kelley. Mayor Smith proceeded to ask the following interview questions:

- Please provide a bio.
- Why do you want to serve on this board?

- What experiences in your background have influenced your desire to serve on this board?
- Please elaborate on your background and experiences.
- What contributions do you think you will make to the board?
- What is your vision for this board?

a. Interview John Kelley

- He lives and works in St. Albans as well and would like to help facilitate growth in the Downtown. He works for the St. Albans Messenger.
- He grew up in St. Albans and left for college but came back because he liked the direction St. Albans was moving in and believes it has a bright future. He would like to help be a part of that and apply some of the education and experience that he's gathered.
- He graduated from Penn State with a double major in Economics and International Business and has since worked on political campaigns talking to Vermonters all around the State and speaking with business owners to see what kinds of challenges they face. He does Ad Sales with the Messenger and interacts with a lot of businesses in the Downtown and around Franklin County.
- He believes that planning events and getting people Downtown to spend their money locally and use its resources such as Taylor Park would be beneficial.

b. Interview Elizabeth Reed

- She is currently serving on the DAB and works locally. Her main concern is safety and the arts.
- She would like to help plan events for the Downtown and get people more interested.
- She comes from an Art History background and is also interested in the design aspect of the Downtown. She graduated from a creative art college in New Hampshire and while she was there, she curated galleries and hosted events for that gallery singlehandedly. She put together a board made up of people with all kinds of backgrounds and together they made a creative arts journal that she curated and published.
- Her vision is to get people into the Downtown and become more involved in the community.

c. Consider appointments (D&V).

A motion was made by Alderman McCarthy; seconded by Alderman Spooner to accept the recommendation by the Downtown Board to appoint John Kelley to the open seat to expire on December 31, 2019 and Elizabeth Reed to an alternate seat to the Downtown Board also expiring December 31, 2019. Mr. Spooner thanked the candidates for being involved. Vote was unanimous, 6-0.

A motion was made by Alderman Spooner; seconded by Alderwoman Laddison to skip agenda item #10 and return when the interested party is present. Vote was unanimous, 6-0.

10. Comments Re: PHSO Violation for 61 Bank Street, Jordan Weinstein.

Jordan Weinstein introduced himself and stated that he's representing the City Walk Association and received a Public Health & Safety Ordinance (PHSO) violation notice for unregistered vehicles. It is his opinion that this is not the realm of health and safety and is the realm of area improvement. He believes this instance is a bending of the ordinance in order to make it suit the function of an area improvement ordinance. Speaking specifically to the violation, Mr. Weinstein believes that there are many lapses in this violation and it needs to be rewritten in the very least to be in accordance with City guidelines. He stated that the purpose of the Health and Safety ordinance is to prevent unsafe conditions and properties that are run down and doesn't believe that an unregistered vehicle on a private lot is a danger to health and safety and is being broadly characterized as trash. He would like council to reconsider the approach that City officials are taking with regards to these sorts of violations.

Mayor Smith asked Mr. Weinstein what he thinks of the PHSO ordinance in general. He responded that it's antiquated and looks as though it's keeping in lines with a City that is in greater distress. He believes peeling paint represents a much more serious threat to the safety of the people of St. Albans and there are many other instances where there are real hazards. Mr. Weinstein stated that he believes the City should stop taking health and safety hazards and use them for beautifying the neighborhood.

Mr. Hawkins asked Mr. Weinstein if he wants council to take a look at the ordinance and see where this particular violation fails or look at the ordinance in general to see where it should be improved or modified. Mr. Weinstein responded that he believes the City's application of the ordinance should change. Mr. Hawkins asked Mr. Weinstein if he would still think the ordinance was problematic, had it read the way he requested it in Section 4. Mr. Weinstein responded that the ordinance doesn't even reference registered or unregistered so in theory, any automobile on the property could be characterized as trash. Mr. Hawkins asked Mr. Weinstein if he is the owner of the vehicles. Mr. Weinstein responded that they are owned by the tenants. Mr. Hawkins asked Mr. Weinstein if he would have had a problem with the violation had it been directed toward the tenants. Mr. Weinstein responded affirmatively because it's not in keeping with the intent of the PHSO ordinance. He stated that one of the plates on the vehicle was stolen and he reported it to the Police and to a City official and was the rigidity of the mis-enforcement of this ordinance that brought him here. Mr. Weinstein responded that he believes the enforcement officer needs different guidelines. Mayor Smith asked how long the vehicles were there for. Mr. Weinstein responded that they were probably there for months.

Mr. Cloud stated that the idea is that an unregistered vehicle presents an attractive nuisance and has the potential to leak hazardous fluids and to the general public, represents something other than a motor vehicle that is used for transportation. Mr. Cloud further explained that whenever you are writing an ordinance like this and directing enforcement staff, you can never anticipate every situation and have to use some discretion. Generally, because of the high attractive nuisance that unregistered vehicles that never move present for fires and children, the City cites for unregistered vehicles and has been doing it since the ordinance has been in place. He agreed that the drafting could be improved to specifically identify unregistered vehicles but this is how it's been deployed and there is a process in place that doesn't show up in the ordinance. Mr. Cloud explained that a PHSO team meets weekly and gives the enforcement staff guidance on where to lean in further and where to back off based on the circumstances. He agreed an additional week could have been helpful but that is also where the engagement process takes place. Mr. Cloud stated that if staff has been overly broad, then council can redirect staff but also suggests that this is the anomaly. Most unregistered vehicles that haven't been moved for months look rugged and enforcement staff has a standard that they apply. Staff regularly cuts fines in half and put together plans to work with folks.

Mr. Weinstein stated that the violation notice interferes with due process and there are rights associated with being a citizen. Mr. Cloud asked Mr. Weinstein what the due process violations entail. Mr. Weinstein responded that it lacks the appropriate amount of time that is supposed to be granted and lacks the amount of time that a person can appeal the decision. Mr. Cloud asked Mr. Weinstein if he believes that the City has not provided adequate notice and would like the appeal process to appear in the violation. Mr. Weinstein responded that he submitted an appeal letter and would like the safety notice to be adjusted to be in accordance with the ordinance. Mr. Cloud stated that the issue is less than with the ordinance itself than it is with the notice received. Mr. Weinstein responded affirmatively and stated that the ordinance is fine, however, the application of the ordinance could be debated. Mayor Smith stated that Mr. Weinstein mentioned the amount of time he was given to address the issue. Mr. Weinstein responded that the health and safety ordinance calls for three days to address the issue but the notice allows only 48 hours, therefore the violation notice is in violation of the City ordinance.

Mr. McCarthy stated that it's his understanding that there was never a final decision and when the notice was questioned, there was an extension given by the officer. Mr. Weinstein responded affirmatively. He stated that he felt the compliance timeline was reasonable but the appeal timeline was tight. Mayor Smith asked Mr. Weinstein if he believes abandoned or unregistered vehicles are an issue in the City. Mr. Weinstein responded that he did not know. He stated that it's a subjective standard and believes it needs better judgement. Mr. Cloud asked Mr. Weinstein how he knew about the appeal timeline if he didn't receive adequate notice of his right to appeal. Mr. Weinstein responded that he read the full ordinance. Mr. Cloud asked Mr. Weinstein if he received a copy of the ordinance with the notice of violation. Mr. Weinstein responded negatively.

Mayor Smith opened the floor for public comment. A member of the public argued that it can be a health and safety issue with unregistered vehicles. He explained that he had the experience with someone in his neighborhood who had five unregistered vehicles that people were suspected to be living in. He stated that if it's not health and safety, there has to be a way to regulate that. Mayor Smith stated that he believes it can become a health and safety violation at any time and would only take one broken window and having someone crawl into the vehicle.

Bill Bonnie of Lincoln Avenue introduced himself. He stated that his next door neighbor has four unregistered vehicles with flat tires and the back yard is a junk yard. The owner, Rich Marchessault, lives in Essex. He explained that when a prospected renter goes onto the second floor deck of his apartment and looks out, the tenants no longer want to live there. Mr. Hawkins asked Mr. Bonnie if he had reported this. Mr. Bonnie responded affirmatively. Mayor Smith stated that that property is on the list managed by the PHSO committee and there are fines accruing. Mr. Manahan stated that there are liens on the property that will have to get settled if the property changes hands. Ms. Bonnie asked how many fines can be accumulated before it comes to an end. Mr. Manahan responded that it's a due process and the City can continue to lien the property until the property is transferred at which time the fines would need to be satisfied. Mr. Hawkins expressed to the Bonnie's that they can speak to an attorney and go to the court to take action as well. Mayor Smith stated that the PHSO team that meets weekly is one of the best things the City is doing to help clean up neighborhoods. He apologized to the Bonnies that it has not worked for them yet but has worked in many neighborhoods. He stated that it does take time and if there are other properties that the City needs to be aware of, residents are urged to call City Hall. Mr. Manahan stated that most people engage with the City and resolve the problem quickly but a lot of the issues are absentee landlords and foreclosure properties. Mr. Spooner stated that a prime example of how this program has been working is Diamond Street. Mr. Hawkins stated that there is only so much the City can do but the property owner can go to the court for relief at their expense. Mr. Cloud stated that one of the push and pulls is that on some level, you have a right to be a pig in your own house. Until that crosses over and affects the public as a public health and safety issue, not much can be done. There have been instances where it's been so acute that the City has swept in and addressed the public nuisance by evacuating the premises and brought in dumpsters. He stated that typically when that happens there are rats present and an odor. Mr. Cloud asked Mr. Mulheron what other issues trigger that. Mr. Mulheron responded that other triggers include fire safety hazards and a lack of smoke detectors.

Mike Smith stated that he is a City taxpayer, a property owner and landlord and in his tenants' leases, it states no unregistered vehicles are allowed on his property. He stated that if these slum lords don't want to own up to their properties, he wouldn't want the City to give them any breaks. He is sick of driving up Bank Street seeing chicken wire and corn stalks in the green space. He stated that hopefully it gets to a point where all the new curbs and sidewalk make a difference and the greenspace is restored. Mr. Hawkins asked Mr. Smith if most of the places he is talking about are rentals. Mr. Smith responded that not all of them are and some people just shouldn't own property.

Mr. Hawkins stated that ten years ago, there wasn't a person like Mr. Mulheron around and what he's doing is working and believes it's a big improvement. Mr. Smith agreed and believe going forward, there has to be a game plan on how to change the apartment houses back to single families. Mr. Manahan stated that it is working and noted a property on Federal Street where the City engaged with the owner to do greenbelt restoration and the owner removed garbage and finished work on his house. Mr. Mulheron stated that year to date, his department has issued 101 PHSO violation notices, 25 of which were vehicle-related violations. He explained that it's a successful tool and begins the conversation with the property owner. If he receives a complaint that he can't take care of, he forwards it to Mr. Manahan for further negotiations. Mr. Manahan stated that the challenge with the vehicles in the residential neighborhoods is that if one house does it and gets away with it, the next house does it. Mr. Hawkins asked if it's correct that in Mr. Weinstein's circumstance, the unregistered vehicles were in a parking lot. Mr. Manahan responded affirmatively but stated that it is located in a residential area and there is a vehicle parked that is taking up two spaces with three flat tires. He stated that this ticket was issued on May 14th and was given until June 1st to take care of the issue. Mr. Manahan stated that a month before this issue, a tree had fallen in Mr. Weinstein's parking lot and the City came in and cleaned it up. He explained that the City has a lot of resources and can be accommodating but it is a two-way street. Mr. Sawyer responded that it is also in the spirit of the ordinance to prevent health and safety situations and the goal is to deal with a car before its tires are flat and before its leaking fluid.

Mr. Hawkins stated that if he had a son living with him on Brainerd Street who has a DWI and he takes the car away from him, he doesn't believe he should receive a violation for the vehicle being unregistered. Mr. Sawyer responded that the safety order should at least be the start of a conversation. Mr. Hawkins stated that he believes any ordinance that is going to take away the rights of an individual to have personal property on their property needs to be that specific. Mr. Smith stated that he believes the difference is if you're living in the property vs. having a rental and allowing the issues to pile up. Mr. Hawkins agreed. Mayor Smith stated that he would argue that there is a general difference between a public parking lot and a driveway. Mr. Hawkins stated that the City Walk parking lot is a private parking lot. Mr. Cloud stated that the enforcement officer looks at the totality of the experience and makes a call and this is that pitch that's on the outside of the strike zone. He believes Mr. Weinstein's comments about the form are well taken and is an easy fix. The ordinance could be tweaked to be clear that one of the characteristics that leads a vehicle to be regarded as trash is its unregistered nature but that in itself should not be the only thing. Mr. Cloud stated that in terms of its ability to achieve its intended results, this ordinance is a rock star and there is no ordinance that has been as effective as this. Ms. Laddison asked if this is the tool that the City uses to make sure that health and safety guidelines in the community are followed. Mr. Cloud responded affirmatively and stated that it's a fine line between health and safety and community betterment and is part of what the enforcement officer uses as the totality of the experience to evaluate on site. It depends on a whole risk of factors such as whether it is owner occupied, the number of vehicles, their condition and location. Ms. Bessette stated that if nothing else, it generates conversation between the landlord or the vehicle's owner and the City and is sure if Mr. Hawkins approached the City in the example of his son having a DWI, the City would grant leniency.

Peter Chevalier, City resident and landlord, agreed with Mr. Smith and stated that he also states it in his leases that no unregistered vehicles are allowed on the property and working on vehicles are not permitted in the yard. He believes a lot of these examples are quality of life issues for the neighbors vs. health and safety issues and has an effect on property values. He stated that the question is at what point enforcement of the ordinance should begin when someone is trying to sell their home and the home next door is full of garbage and vehicles on the lawn. He stated that an ordinance is only as good as the enforcement.

Keith Carlton of Lincoln Avenue stated that he agrees that the ordinance is a good mechanism and at least starts a conversation. Getting 100% compliance on anything is unrealistic. If there is a situation, as long as the homeowner is contacted, there is a built in appeal process as well.

Jon Casavant stated that he is generally not in favor of the City being involved more in his business but to have the leverage of the ordinance on a tenant is helpful as a landlord. He does believe there's a difference between having an unregistered vehicle in the back yard vs. in the front yard where it's a visible eye sore but if he is someone's neighbor who has a dump on either side, it does have an impact on his investment and property value.

Mayor Smith noted that Mr. Smith made a comment about trash containers being left by the curb for extended periods of time and stated that council and staff are working on a garbage ordinance to address that. Mr. Cloud stated that staff has a draft that is ready for input by the trash haulers and should be ready for council quickly. Mr. Smith asked if there is any vision down the road for handling on street parking during a snow storm and asked if there were any designated areas where the vehicles could go or if streets would be alternated. Mr. Manahan stated that the City has an ordinance now that runs from the beginning of December through the middle of April for a snow ban and have opened up the municipal lots. Any time there is residential parking, residents are required to move their vehicles every 24 hours. Mr. Manahan stated that there may be a need down the road to do a total ban but at this point, it's worked. Mr. Cloud stated that when the City has done the greenbelt restoration, and in the instances where folks didn't have the room to park onsite, the City has issued them placards to hang on their mirror with the right to park on the street as long as they move the vehicle every 24 hours. Staff has found that it's really very site specific and neighborhood specific and might get some unintended consequences if opened up City wide, however, staff is open to input.

Mayor Smith commended Mr. Sawyer, Mr. Manahan and Mr. Mulheron on their work with the PHSO ordinance.

11. Consider approval of VMBB loan documents for \$2 million in Sidewalk Project funds, Tom Leitz (D&V). Mr. Leitz stated that council has approved several versions of the bond financing documents in the past year. It is fairly standard and associated with the bond itself, the loan and the certificate of registration. He is seeking council approval for the Mayor and City Clerk to sign the documents where appropriate and added that it will be back in front of council twice in the next twelve months for the TIF project and year three of the sidewalk project.

Mr. McCarthy asked if it's just for this tranche of the sidewalk project. Mr. Leitz responded affirmatively. He explained that it behooves staff to move now because the long term rates are rising slightly. Mayor Smith asked what impact the rising of the rates has with the financing of the bond. Mr. Leitz responded that it's nothing dramatic and it has been a slow rise. He explained that the City receives short term financing through the local banks which are incredibly favorable and the bond bank piggy backs off the State's credit rating.

A motion was made by Alderman Hawkins; seconded by Alderman Spooner to approve VMBB loan documents for \$2 million in sidewalk project funds. Vote was unanimous, 6-0.

12. Consider approval of meeting minutes: Special mtg. 1/29/18 & 2/26/18 and Regular mtg. 5/14/18 (D&V).

A motion was made by Alderman Spooner; seconded by Alderman Hawkins to approve 1/29/18 special meeting minutes. Vote was unanimous, 4-0 with Alderman McCarthy and Mayor Smith abstaining.

A motion was made by Alderwoman Bessette; seconded by Alderman McCarthy to approve 2/26/18 special meeting minutes. Vote was unanimous, 4-0 with Alderman Spooner and Mayor Smith abstaining.

A motion was made by Alderman Hawkins; seconded by Alderman Spooner to approve 5/14/18 regular meeting minutes. Vote was unanimous, 6-0.

13. Consider approval of warrants: 5/25/18 and 6/8/18(D&V).

A motion was made by Alderman Hawkins; seconded by Alderman Spooner to approve 5/25/18 warrant. Vote was unanimous, 6-0.

A motion was made by Alderman Hawkins; seconded by Alderman Spooner to approve 6/8/18 warrant. Vote was unanimous, 6-0.

14. Mayor's Report.

Mayor Smith stated that he received another call on noise issues and asked Mr. Cloud to inquire about what is happening in other communities in terms of ordinances. Mr. Cloud asked council to help him get a sense of what they're hearing from folks. Mayor Smith responded that the most current complaint he received is Downtown motorcycle noise and some neighborhood noise as well. Alderwoman Laddison stated that she's heard neighborhood complaints about loud vehicles, particularly early in the morning. Mr. Hawkins stated that he's hearing complaints about loud vehicles and motorcycles. Mr. Spooner stated that he would be interested to know what the rules and regulations are on motorcycles. Mr. Cloud responded that typically, it could be defined as a public nuisance and could try and get some law enforcement presence in the Downtown if it's occurring on Saturday nights. Mr. McCarthy stated that a lot of these are neighbor complaints where the neighbors don't feel comfortable approaching their neighbor for a dog barking or a modified vehicle. He stated that if a garage puts a sticker on a modified vehicle to make it loud, he doesn't know that the City would have the ability under City ordinances to enforce vehicular noise. He believes the best thing council and people in the community can do is encourage people to be respectful of their neighbors. He has been working with Josh Martin who brought up the noise issue at the last meeting and stated that dispatch has been much more helpful in resolving noise complaints. Mr. Cloud stated that VLCT has a municipal assistance center and can see if other municipalities have had any success. He commented that he is a little apprehensive of how to do this without getting too far in people's grill. Mayor Smith agreed that that's a concern.

Mr. Spooner recalled that a couple years ago council discussed having an issue log where residents could report issues and staff could address the concerns and then mark them as resolved. Mr. Cloud responded that staff has gotten some comfort level with an app platform called See, Click, Fix which allows people to report problems, give confirmation that the problem has been received and then addressed but haven't gotten the whole team aligned. He explained that the Public Works staff is a skeleton crew and didn't want their workload to be prioritized reactively by the public. He added that other communities, however, have had success with the app. Mr. Cloud stated that staff can use Ms. Smith's support at City Hall to help serve as a buffer with the calls that are coming in. Mr. Spooner stated that he's seen a lot of frustration expressed on Front Porch Forum and Facebook and just thought it could help cut down on some of those calls.

Mr. Hawkins asked for an update on the panhandling issue. Mayor Smith responded that staff brought a team together to come up with a plan to address the issue and included Marty Manahan, NCSS, RJC and the Police Department. The plans did not go as well as they had hoped and has since reached out to the State's Attorney's office to find an avenue to bring the charges forward. There has been no solution yet but is high on the priority list. Mr. Hawkins stated that two days ago, he witnessed the person in question approach a female walking outside of People's Trust and had to get into a vehicle and roll up the window to get away from him. Mr. Cloud stated that staff has hired its own counsel to present these

concerns to the court at the next hearing. Mayor Smith stated that the team assembled has been working hard on this with little to no success and will be going to look to the court system to rectify the problem and hope to have a solution in place by the end of the month. Mr. Manahan stated that there is obviously some mental health issues and looking now for the court to hopefully oppose some mandated support that he needs and once he gets that and receives it, this team will be in place to hopefully support him. He has over 30 misdemeanors and in the last year over 30 have been dismissed. The officers are doing what they're supposed to do.

Agenda item #10 was discussed next.

15. Other Business.

Mayor Smith thanked Ms. Laddison for organizing the block party which was a great community event and very successful. He also announced the Mayor's Photo Competition to celebrate the Co-ops 100th anniversary. With the help of the St. Albans Messenger, social media, staff, Ben & Jerry's and Bordeau Brothers, he hopes to bring in about 75 photos and will have a reception where they can be voted on and would then get blown up and displayed in Taylor Park for 4-6 weeks. He added that the focus is agriculture. The deadline to submit photos is June 30th and the reception will be held on July 12th. Mayor Smith stated that he and staff are also moving forward on an antique tractor parade in the fall and there's been some discussion for the potential of having some milk containers painted and scattered around the Downtown. They've also discussed having a painted fiber glass cow that be placed in front of City Hall.

Mr. McCarthy thanked Allen Robtoy and Brian Burns for fixing the potholes on Smith Street around the manhole covers.

Mr. Hawkins stated that he noticed some maple trees as part of the streetscape in the Downtown. Mr. Sawyer responded affirmatively. Mr. Hawkins asked how they are going to be handled 10 – 15 years from now. Mr. Sawyer responded that when it comes to Downtown trees, their useful life will be less than neighborhood trees. Mr. Hawkins noted the tractor trailer truck that jack knifed at the top of Upper Welden Street. Mayor Smith stated that there have been additional complaints about trucks on Nason Street and Lower Welden and has no problem having a conversation with the industrial park but the key is to get the truck name and find out which company they represent. Mr. Spooner stated that an 18 wheeler went down South Elm Street the other day with speed bumps. Mayor Smith commended staff because when he receives complaints and forwards them to City Hall, the issues are addressed by staff immediately.

Ms. Bessette asked Mayor Smith if he's received complaints about the speed bumps on North Elm Street. Mayor Smith responded that he did receive one complaint. Mr. Spooner stated that about 75% of the cars do not slow down for them but the amount of traffic on that street has been cut in half. Ms. Bessette stated that on her street, she's noticed that the speed bumps have slowed down a lot of cars but some vehicles just fly over them. Mayor Smith asked Ms. Bessette how that street got to the point of getting speed dips. Ms. Bessette responded that vehicles start at Lake Street and speed down the street. Mr. Spooner stated that the recommendation went through the Public Safety & Quality of Life Committee and has been a yearlong process. The speed dips started on Stebbins Street as a pilot project. Ms. Laddison suggested painting the street where the dips are located.

Mr. Spooner stated that the building in Houghton Park still has no T-111 on the east side and is happy to paint it to match the building if it can be installed. He also explained that he had asked Mr. Robtoy if Cedar Street has the double yellow lines at the end of the street. He explained that vehicles traveling toward the end of South Elm are hugging toward the middle of the road to avoid the curb on either side and asked if a white line or double yellow line could be added so when vehicles come to a stop, they are on their side of the street. He also received a call from someone who received a notice that they were in

violation of zoning because they had a pile of material in their driveway but hadn't pulled a permit and only had 5 days to respond. Mr. Sawyer responded that the letter of inquiry allows 7 days and the notice of violation allows an additional 7 days. Mr. Spooner stated that the curb at the top of Lower Newton is mutilated. It might seem wise to put granite there and isn't sure if it's the trucks or the plows that have damaged it. He noted that the museum opened up their Farming in Franklin County exhibit which is a great exhibit. He also added that Parks Patrol presence has been great.

16. Adjourn.

A motion was made by Alderman Spooner; seconded by Alderman McCarthy to adjourn meeting at 8:34 pm. Vote was unanimous, 6-0.

Respectfully Submitted,

Kristen Smith

Community Relations Coordinator

Approved by Council