

**St. Albans City Council  
Minutes of Meeting  
Monday, December 12, 2016  
City Hall, Council Chambers**

A regular meeting of the St. Albans City Council was held on Monday, December 12, 2016, at 6:30 pm in the City Hall Council Chambers.

**Council Present:** Mayor, Elizabeth Gamache; Aldermen: Tim Hawkins, Chad Spooner and Jim Pelkey and Alderwomen Tammi DiFranco and Kate Laddison.

**Council Absent:** Alderman Scott Corrigan.

**Staff Present:** Dominic Cloud, City Manager; Chip Sawyer, Director of Planning & Development; Tom Leitz, Director of Administration; Allen Robtoy, Director of Public Works; and Sue Krupp, City Clerk & Treasurer.

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

1. Call to Order and Pledge of Allegiance.  
Mayor Gamache called the meeting to order at 6:30 pm and led the pledge of allegiance.
2. Public Comment.  
No public comment was made.
3. Wastewater Treatment Facility Upgrade and March Bond Vote.
  - a. Wayne Elliott, Aldrich and Elliott Water Resource Engineers.  
Mayor Gamache explained that Mr. Elliott would be providing a wastewater treatment facility upgrade presentation with regard to a potential March bond vote. Mr. Wayne Elliott of Aldrich and Elliott presented a projected timeline and cost to complete the wastewater treatment facility upgrade in the City. His presentation included a discussion of the major deficiencies at the plant, an update concerning the impacts of the Lake Champlain Phosphorus TMDL and available funding sources for the project. (See Attached Slides).
  - b. Dominic Cloud, City Manager.  
Mr. Cloud noted that the finance committee and council have been in the process of creating the rate capacity over the last couple budget cycles to get into position for an upcoming bond vote to complete the wastewater treatment facility upgrade. A 5-year plan was devised for increasing rates with FY 18 being the 3<sup>rd</sup> year. The annual debt service depending on the financing package chosen will likely be somewhere between \$750,000 and \$1 million per year and are about half way there with a few more years to get there. He added that the adjustments will be typical to what has been experienced over the last couple of years.  
  
Mr. Elliott stated that for other municipalities with bond votes, they have presented both funding packages to give users a realistic snapshot of their current sewer rates and what they could expect them to be. Mayor Gamache asked how that would work timing wise with USDA and asked when the pieces would come together. Mr. Elliott responded that the all of the applications will be submitted by the end of January which will be prioritized and will then have to go back out to the national pool to seek extra funding. If a bond vote passes in March, USDA has alluded that they would have an offer ready by April. Mr. Elliott added that USDA's funding program can be slow but is getting much better and they understand the timeframe of the municipalities.

Mr. Spooner noted a television show he was watching about a sewer treatment plant that showed a separator. He recalled that if he remembers correctly, the City's plant just has a grate that has to be raked. On the show, the grate was much finer that acted like a conveyor belt, picking up what couldn't fall through the grate. Mr. Elliott noted that it's called a screen and agrees it's something that would be great to do here in the City but can impact the price drastically. He said stated that it would be a \$500,000 - \$1 million item and is trying to be prudent about the cost. Mr. Spooner asked if the plant is currently fully operational. Mr. Elliott responded that it is generally fully functional but not always. He explained that fortunately, there is redundancy so if one machine is down, there is a backup but with the age of the machinery, it is not always an easy fix. Mr. Spooner noted that the water plant at Maquam is looking poor with the fence falling over and the paint peeling. He asked if the inside of the plant is in the same condition as the exterior. Mr. Robtoy responded negatively and stated that the whole building will be painted by City employees over one or two seasons. He added that 1/3 of the fence was replaced a couple of years ago and staff will need to finish replacing the rest of the fence. The mechanical and interior is up to par. Mr. Elliott added that the good news is that the treatment technology hasn't changed much.

Mr. Hawkins noted the current .1 - .2 State requirement and asked Mr. Elliott how confident he is that the City will not see something as dramatic as this for a number of years if the bond vote passes. Mr. Elliott responded that there is some uncertainty and a lot of that will have to do with what's happening on the AG side and if every sector does their part, he believes it will be ok. He explained that the filter can get under .1 consistently. He added that although they were not able to get under .1 during the pilot testing, it was done at a plant in Massachusetts with the same technology and hoping that the potential upgrade in the City will be suitable if the requirement gets decreased in the future. Mr. Hawkins stated that it's going to be based on two things; what is coming into the plant and the frequency that the filter will need to be replaced. Mr. Hawkins asked Mr. Elliott how long the filter should last. Mr. Elliott responded that it will need to be replaced every 7 – 8 years and is not a huge cost. He noted that electricity is a big cost and one of the reasons that the filtration technology is preferable is to keep gravity flow and to keep operating costs down.

Mr. Hawkins asked how staff plans to educate the City residents prior to holding a bond vote. Mr. Cloud responded that staff would notify the voters the same way it has done for past bond votes and feels like this is a lot easier to understand and has been out in the public domain for a couple of years now. Mr. Cloud explained that it will be important to capture both the useful life issues as well as the phosphorous levels, especially with all of the public discussion that has occurred over the state of the Lake. Mr. Cloud stated that staff can consider using some additional methods such as videos and tours and would also use educational materials similar to the way Tax Increment Financing was communicated. Mayor Gamache added that there will be public hearings and agreed that holding tours and/or producing a video tour for the website would be a great way to spread the word. Mr. Elliott stated that Aldrich & Elliott produced some YouTube videos for Wilmington and was very well received.

Mr. Robtoy reiterated that a 20-year evaluation that was completed and in some cases, the equipment is already beyond its useful life and is 30 years old. He added that some of the equipment can take up to 6 months to replace after it fails. He further explained that the Fairfax plant got all of Public Work's attention this summer with the filter upgrade and would encourage everyone to look at that plant. Mr. Spooner agreed that it will be important to educate voters about the improvements that will be made to the lake with the upgrade.

4. Consider appointment of candidate for Parks Commission.

Mayor Gamache thanked Mr. Kaeding for coming and explained that there is one vacant seat on the Parks Commission and would be asking the following interview questions before considering appointments.

- Please introduce yourself and explain why this opportunity interests you.
- How do you use/interact with our City Parks?
- What is your vision for our City Parks and what the future might hold?
- What are one or two priorities you have for the parks?
- How would people who have served on a committee with you describe what it's like to work with you?

a. Interview of Alec Kaeding.

1. Mr. Kaeding introduced himself and explained that he is fairly new to the community. He has been in Vermont for 3 years and has lived in St. Albans for 1 year. He is originally from Michigan and is the Facilities Operations Supervisor for the City of Burlington Parks and Recreation Waterfront. He fell in love with parks in college and loves what he does. He received a bachelor's degree in Parks and Recreation and was in the Marine Corps for 4 years. He wants to be able to help his community. Mayor Gamache asked Mr. Kaeding how he heard about the opportunity. Mr. Kaeding responded that his friend, Amy Paradis told him about the opening.
2. Mr. Kaeding explained that he and his children spend a lot of time at the rink and at football games at Collins Perley. They also enjoy walking around Taylor Park and attending all of the events that take place there.
3. Mr. Kaeding stated that he has some ideas for Hard'ack that would be minimal impact but great for the community as a whole.
4. Mr. Kaeding explained that he would keep the parks open and undeveloped and treat them like a backyard for the community. He added that he would shy away from becoming too commercialized and would want to see the parks kept clean with a lot of offerings for children.
5. Mr. Kaeding described himself as easy going, able hear both sides of a discussion before making his own decision, able to take charge when needed and able to work as a team.

Mayor Gamache asked Mr. Kaeding if he works with a Parks Commission in his role in Burlington. He responded affirmatively and stated that he'd be presenting to the Burlington Parks Commission on the waterfront division in a couple of weeks.

Mayor Gamache thanked Mr. Kaeding for his answers. She stated that the vacancy is for a term expiring December 31, 2018.

**Agenda item 4.c. preceded item 4.b.**

b. Consider approval of Parks Commission term list (D&V).

**A motion was made by Alderman Hawkins; seconded by Alderman Pelkey to approve Parks Commission term list as presented in packet; Ms. Weinstein, Ms. Sturm and Mr. Young with terms expiring 12/31/17 and Ms. Booth, Mr. Kolyds and Mr. Kaeding with terms expiring 12/31/18. Vote was unanimous, 6-0.**

c. Appointment (D&V).

**A motion was made by Alderman Hawkins; seconded by Alderman Pelkey to appoint Alec Kaeding to the Parks Commission with a term expiring 12/31/18. Vote was unanimous, 6-0.**

Mayor Gamache explained that the vacancy comes with the resignation of Peter Chevalier and recognized his leadership and the role he played in getting the Commission up and running.

5. Consider appointment of candidates for Development Review Board.

Ms. Gamache explained that she would be asking each candidate a series of questions before moving on to appointments. Mr. Sawyer stated that Megan Manahan Bliss was unable to attend and he was unsure where Jackie DesLauriers was. Mayor Gamache explained that the Development Review Board is seeking to fill an open seat expiring 12/31/16, Michael Walsh's seat expiring 12/31/16 and a First and Second Alternate seat expiring 12/31/16.

Mayor Gamache proceeded to ask each candidate the following questions:

- What has motivated you to apply and serve on the DRB?
- What experiences in your background have influenced your desire to serve on this board?
- What are the qualities of a successful Development Review Board?

a. Interviews of candidates: Megan Manahan Bliss, Jackie DesLauriers, Peter Heil, Judith Leonard.

Peter Heil

1. Mr. Heil explained that he has lived in St. Albans for a couple of years, has enjoyed seeing the redevelopment in the City and would like to see it continue. He works as a civil engineer and deals with a lot of development in land use and would like to contribute in the City of St. Albans.
2. Mr. Heil stated that he started working for a civil firm in Essex after graduating from school. He has a lot of experience dealing with design plans, land use and local and State permitting. He would like the opportunity to work with applicants to help uphold the rules and see their projects through completion.
3. A board that works well together and listens to the applicants as well as public comment.

Judith Leonard

1. Ms. Leonard explained that she joined the DRB last year and has a teaching background in special education. She wanted to volunteer and serve her community.
2. Ms. Leonard stated that she is working with a singing group of children at the Methodist Church and has taken some master gardener courses.
3. Ms. Leonard explained that the people who sit on the committee do their homework and has learned so much from the other board members. She believes that concentrating on and listening to all of the applicants is important. She has been impressed with how the board has listened to both sides and come up with working solutions.

Mayor Gamache asked the applicants if they had a preference for a particular term. Judith responded that the role of Alternate would be a good fit for her. Mr. Heil stated that he would prefer an open seat.

Mr. Spooner asked Mr. Sawyer if the two applicants who were not able to attend had good attendance at the regular meetings. Mr. Sawyer responded affirmatively. Mayor Gamache asked Mr. Sawyer if he would recommend that the two applicants who were unable to attend tonight come to the January meeting. Mr. Sawyer responded affirmatively and stated that there would still be a quorum at the next DRB meeting. Mr. Spooner stated that he wouldn't have a problem appointing Jackie and Megan tonight without them being present.

b. Appointments (D&V).

**A motion was made by Alderman Spooner; seconded by Alderman Pelkey to reappoint Megan Manahan Bliss with a term expiring 12/31/19, to appoint Peter Heil to the open seat with a term expiring 12/31/19, to reappoint Judith Leonard as First Alternate with a term expiring 12/31/19 and to reappoint Jackie DesLauriers replacing Michael Walsh's open seat with a term expiring 12/31/19. Vote was unanimous, 6-0.**

6. Consider request to amend grand list due to Errors & Omissions, Denise White.

a. 26 Lake Street (D&V).

Ms. White stated that a property owner disputed his tax bill. In 2011, the property owner sold off a portion of his unit on Lake Street to the abutting property owner. This occurred during the time of the reappraisal and was never noticed. The error has since been corrected and revisions were sent to property owners. Ms. White added that nobody appealed the change and must now come before council for approval. Mayor Gamache asked if it's correct that it's essentially shifting from one parcel to the other. Ms. White responded affirmatively and stated that the net is \$78 to the good.

**A motion was made by Alderman Hawkins; seconded by Alderwoman Laddison to amend grand list due to Errors & Omissions for 26 Lake Street. Vote was unanimous, 5-0. Alderman Pelkey briefly stepped out of the room.**

b. 18 Lake Street (D&V).

**A motion was made by Alderman Hawkins; seconded by Alderwoman Laddison to amend grand list due to Errors & Omissions for 18 Lake Street. Vote was unanimous, 5-0. Alderman Pelkey briefly stepped out of the room.**

7. Second reading of proposed amendments to land development regulations concerning front entrances.

Mr. Sawyer introduced Michael Gawne and Stan Bradeen, joining him from the Planning Commission. He recalled that he has talked a lot about form based codes as something that would eventually be a part of the City's regulations. Mr. Sawyer explained that there isn't much for design direction in the City's residential neighborhoods and has been focusing form based design guidelines for what might be in the future. The way the City's neighborhoods have evolved is based on the history of the City and the architecture of the late 1800's to early 1900's. That scale has helped create a lot of what makes the City's neighborhoods so unique and a great place to live.

Staff was surprised upon receipt of a permit application in the summer to build a new house where one had previously stood with the front of the house facing the side neighbor. He added that the property is a corner lot where neither street was favored with an entrance to the home and was out of character with the other homes in the City's neighborhoods. The Planning Commission engaged the developer in a conversation and the developer agreed to turn the house around so the prominent front entrance would face one of the streets. There is nothing in the City's rules that directs a house upon new construction or renovation to favor the one street it sits on or either street if it's located on a corner lot with a nice front entrance that welcomes people into the home. For this reason, the Planning Commission drafted the new Section 522 of the Land Development Regulations.

Mr. Sawyer recalled that during the first reading, there was a lot of discussion about one of the other provisions of the proposed amendment that maintains the pedestrian oriented prominence of a front entrance in that the pedestrian front door to the home is the most prominent or at least as prominent as the car based feature if there is a garage next door to the house or connected to the house. There is a form of home often seen in the suburbs called a snout-house where the car takes priority over the pedestrian entrance and the garage extends outward from the front of the home into a driveway. Mr. Sawyer explained that there aren't a lot of homes like this in the City but the development that spurred this conversation does have snout-houses with two garages that stick out front and are much more prominent than the front doors to the homes. The Planning Commission thought in item c. that there should be a rule that if there's a garage along the front of a home, detached or not, the entrance should be no farther forward than the prominent front entrance to the home. He added that the door can be set back if the entrance is a porch. Mr. Sawyer recalled that at the first reading, council was wondering what the effect of that might be and whether exiting homes in the City would be grandfathered. Mr. Sawyer stated that the packet includes schematics of the development that started this conversation as originally proposed and also included photos of homes on South Elm Street with prominent front

entrances on the street. There is also an example of a renovated home with a prominent front entrance in the back of the home and no entrance facing the street which is the scenario that the Planning Commission would like to prevent. The handout also includes photos of existing homes where the garage is farther forward from the front entrance to the home. Mr. Sawyer explained that there are not many existing homes like this in the City but there are many existing homes that have a garage along the front plane of the house which would be fine under this proposed rule.

Mr. Sawyer stated that the other change from first reading is to subsection d. which required some sort of paved, stone, brick or gravel walkway from the front door to a driveway, sidewalk or street. Council did not feel comfortable requiring a walkway and the proposed amendment now says that it is encouraged.

Mr. Gawne noted a house that was on Smith Street at one point in time which had a front door that should have had a staircase leading to it but because it didn't, the door wasn't accessible. He noted his concern about safety with a home not having a prominent entrance. Mr. Gawne stated that a lot of homes have off-street parking in front of the garage and if a garage is protruding out in front of the house, it eliminates some potential parking. He added that it makes sense in the City residential areas to have more off-street parking for guests and families with more than 2 vehicles per household. Mr. Bradeen stated that this makes sense in a world with vehicles but in a community that is more pedestrian friendly, he believes this is a great start.

Mr. Spooner commented that he is in favor of the proposal but believes sometimes when code changes are made, it favors changes to aesthetics instead of increasing the grand list. He stated that at some point, there will be a property owner that wants to build a garage and doesn't have the room to do so anywhere except in the front of the home. By not allowing that to happen, the value of the home will not increase, and therefore not increase the grand list.

Ms. Laddison asked Mr. Sawyer if he had a sense of how many properties in the City would have to be grandfathered in. Mr. Sawyer responded that it would be hard to speculate but believes it's a very miniscule proportion and a very small number. Ms. Laddison noted that there are quite a few that are located in her neighborhood and wondered if it was just specific to her ward or more widespread. Mr. Sawyer responded that you do tend to see some of the more prominent garages in the newer portions of the City. Ms. Laddison noted one on the corner of Barlow and Upper Welden Street. Mr. Gawne responded that the garage is flush with the house at that location and is not a traditional snout-house. Mr. Sawyer stated that staff is working with that property owner to use the new rule that was passed a couple months ago to create a second driveway because the layout of their home as approved did not allow for enough parking. Mr. Gawne stated that that's another instance where if you let the garage be too close to the street, there's no room for off-street parking. Mr. Sawyer agreed that corner lots are tricky in terms of room for parking.

Mr. Pelkey commented that he agrees that the front door should face the street and agrees that it can be problematic to have a garage too close to the street but also believes that with a City full of smaller, substandard lots, a property owner should be able to build a garage on their property or a snout-house if that is the only possible option given the layout or size of the property. Mr. Gawne stated that if you consider a garage in terms of a reasonable use, he would agree that reasonable use in Vermont does require a garage with the winters we face. He further stated that he believes someone looking for a building permit to build a garage under these circumstances would qualify for a variance of some sort. He stated that he does not know how the DRB would handle the situation but as a Planning Commission, they are trying to build in flexibility so that if a situation arises, something can be done. Mr. Pelkey stated that he doesn't have a problem with the rules being applied to new construction but does have an issue with an expansion. Mr. Gawne stated that he is speaking about Mr. Spooner's situation with an

existing home that was built in the 1890's. Mr. Spooner stated that he thinks this is a good time to do this because some of the dilapidated, older houses in the City are being torn down and will start seeing new houses built in their place.

Michelle Monroe asked Mr. Sawyer if there's anything in this regulation to prevent turning a front lawn into a paved parking lot. Mr. Sawyer stated that you are allowed to have a driveway up to 20' wide in the front and except for the provision recently passed to help clean up the green belt, the overall rule that you cannot park in front of the house still stands. Other than the driveway, a property owner cannot just start creating additional parking. Ms. Monroe asked if there's a way to narrow the width of a driveway and noted a duplex that has a 40' wide driveway which covers the entire front lawn. Mr. Sawyer stated that it's considered access to their driveway and the property owner is basically using the allowance and getting as much as they can out of it and there unfortunately aren't any requirements for screening an access to a garage. Mr. Gawne added that single and two-family do not require a site plan. Mr. Sawyer stated that the rule proposed tonight would help prevent quite as much asphalt out front. If people wanted to see narrower driveways than the 20' allowed, it could be brought before the Planning Commission for consideration.

Mr. Bradeen stated that he had a similar opinion to Mr. Pelkey and also argued that the garage could come a little bit forward but supports the proposal and considers it an important first step. He explained that the advantage to the form-based codes and the degree in which the City has thoughtfully gone through in the Downtown area speaks well for itself and need to be doing the same things for the neighborhoods and try to preserve the feeling without being overly restrictive. Mr. Gawne added that while the bylaws are the bible to a certain degree, it is an active document and the present Planning Commission is trying to react to situations and change things as they need to be changed.

Mr. Hawkins asked what this would do if it was applied to new construction only on an empty lot. Mr. Pelkey responded that it would satisfy him. Mr. Gawne stated that whether it could be done or not, he would want to think about it in terms of the disparity in treatment between one group of people over another. He believes there could be some other procedure short of a variance that would allow flexibility and approval from the DRB. Mr. Sawyer responded that after speaking with the Planning Commission at the last meeting about council's sentiments of the first reading, they did agree that there could be another version of subsection c. if it had a hard time this evening, where one could get permission from the DRB to build a garage that is farther forward than the front door or porch, not as a variance or full site plan review but as a decision based on character of the area. Mr. Hawkins asked if it would be the same as consideration under a conditional use criteria. Mr. Sawyer stated that it would be like a conditional use applied to a structure. Mr. Hawkins agreed that it would probably satisfy a lot of people that are listening in thinking they won't ever be able to put a garage on their house. Mr. Bradeen responded that he would rather define it in some other way because as soon as someone builds a significant addition in the form of a garage, that could be considered new construction. Mr. Hawkins responded that that could be defined by the Planning Commission. Mr. Bradeen responded that he would rather define it some other way by defining the circumstances under which a garage could be built and one way would be to state that an entirely new structure must meet a certain criteria and an addition must meet a certain criteria. He added that one might not find that as equal and fair treatment, including himself, but completely understands what Mr. Hawkins' intent is and supports it. Mr. Sawyer stated that council has the option to adopt a. and b. if they wish and allow the Planning Commission to continue to hash out c. which is the only section that deals with garages. At the next meeting the Planning Commission could decide if they want to better redefine new construction and/or allow DRB approval based on the character of the area. Mayor Gamache asked Mr. Sawyer if item d. could also be considered tonight. Mr. Sawyer responded affirmatively and stated that the prominent front entrance piece could be adopted and the Planning Commission could continue to work on the garage issue. Mr.

Gawne stated that his other suggestion to council would be to approve item c. tonight with the promise that the Planning Commission will come back before council with an answer in a reasonable amount of time. Mr. Bradeen commented that he feels this is a situation where the perfect should not be the enemy of the good and agrees with Mr. Pelkey and Mr. Hawkins' concerns but strongly believes that there needs to be something in place because things are starting to turn over. Mr. Pelkey suggested keeping the first sentence if item c., "Accessory structures and those that accommodate vehicles shall not detract from the prominence of the entrance to the building" and suggested leaving out the second sentence of item c., "No accessory structure, no car port entrance, and no garage entrance, whether attached or detached, shall be placed closer to the street than the front entrance required by this section." Mr. Bradeen and Mr. Hawkins supported Mr. Pelkey's suggestion.

8. Consider adoption of proposed amendments to land development regulations (D&V).  
**A motion was made by Alderman Hawkins; seconded by Alderman Spooner to adopt proposed amendments to land development regulations concerning front entrances in its entirety as presented except for second sentence of paragraph c. Section 522. Vote was unanimous, 6-0.**

9. First reading of amendments to City Ordinances re: Lake St. intersection and 30 minute parking.  
Mr. Sawyer stated that this is a first reading of amendments to the City ordinances; one portion deals with the intersection of Catherine, Lake and Federal Street and the other section has to do with a 30 minute parking space. Mr. Sawyer recalled discussions about the desire to install a traffic light to manage traffic at the intersection of Lake, Federal and Catherine Street and would also help Market Street. Later, staff found that the cost of that project was just too much and the recommendation from the traffic engineer was that a 4-way stop would suffice and provide an adequate level of service. When the Lake Street streetscape project began, a 4-way stop was put in at that intersection to help with the construction and remains today. The first amendment to Section 5165.A. and continuing into Section 5201 states that there is not a traffic light at that location but that a 4-way stop exists instead.

Mr. Sawyer also noted that some parking spaces had to be eliminated in order to bring the street into code. Due to this, the barber shop near the top of Lake Street requested that there be a 30 minute parking space. Mr. Sawyer stated that staff may or may not be able to add a space in the future which is why staff is referring to it as a parking area and states that the parking area near 22 Lake Street on the South side and to the East of the driveway into the municipal parking lot shall be 30 minutes. Mr. Sawyer noted that that is the change to Section 5351.

Mr. Hawkins commented that he believes the only way it will work is if any and all truck traffic is eliminated going past that 4-way stop. Mr. Sawyer asked Mr. Hawkins if he has seen trucks using the 4-way stop. Mr. Hawkins responded affirmatively and stated that most of them are turning onto Market Street although he's seen some turn onto Catherine Street and believes it's the smaller trucks that can back up traffic. He added that if there's a way to eliminate truck traffic, this believes this will work very well. Mr. Sawyer recalled that the interim project is designed to keep trucks from turning left onto Catherine Street. He added that trucks can go straight from Federal Street to Catherine Street and vice versa and trucks that want to go West can use Stebbins Street and then Market or Catherine Street. The hope is to be able to say no thru trucks on that block of Lake Street. Mr. Sawyer stated that since the 4-way stop is working so well as a temporary measure through construction, staff decided to keep it going. Mr. Hawkins stated that the 30 minute parking is going to become problematic because there will be cars in the way. Mr. Sawyer agreed and explained that it's the ultimate plan and is one of the reasons the engineers has the City reduce the number of parking spaces to one in that location.

- a. Consider acceptance of first reading (D&V).  
**A motion was made by Alderman Pelkey; seconded by Alderman Spooner to accept first reading. Vote was unanimous, 6-0.**

10. Resolution authorizing Route 7 planning grant (D&V).

Mr. Sawyer recalled that staff is working with the Town, the Regional Planning Commission, RiseVT and the Northwestern Medical Center on a planning project to see if more can be done with bike, pedestrian and transit on Route 7 including a portion of the City that doesn't have a sidewalk on North Main Street and also to create a stronger connection between the rail trail and the Downtown. Mr. Sawyer recalled that the project was highly scored last year but didn't quite make the grant. The City was encouraged to reapply and focus on North Main Street this time around. The resolution is a required piece of the grant application.

**A motion was made by Alderman Hawkins seconded by Alderman Pelkey to approve resolution and letter of support for the Route 7 planning grant. Vote was unanimous, 6-0.**

11. Resolution authorizing renewal of St. Albans downtown designation (D&V).

Mr. Sawyer explained that the Downtown Designation is what led to all of the progress the City is celebrating these days and needs to be renewed every 5 years. A resolution by council is a required part of the renewal application. Mayor Gamache mentioned that she's on the State's Downtown Board that reviews and makes approvals of the designation and recused herself.

**A motion was made by Alderman Hawkins; seconded by Alderman Pelkey to authorize renewal of St. Albans downtown designation. Motion carried, 5-0 with Mayor Gamache abstaining.**

12. City Manager Report.

a. Overview of Budget Process and Timeline.

Mr. Cloud noted a handout in the council packet outlining the budget process and timeline. He and staff hopes to wrap up budget development by the end of the month and meet with the Finance Committee during the week of January 2<sup>nd</sup> and then present to council at the regular meeting on Monday, January 9<sup>th</sup>. Two main review sessions are also scheduled for January and can bring Department Heads in or focus on any larger policy issues with goal of having the warning signed by the end of January. Mr. Cloud added that it's pretty similar to what's been done in past years.

b. Authorization to sign Hard'ack agreement in substantially similar form as presented (D&V).

Mr. Cloud explained that staff is just about ready to sign the Hard'ack agreement and would like to get it signed and closed to begin working on the bylaws. He believes the revised agreement captures the sentiments that came from council and suggestions from the attorneys.

**A motion was made by Alderman Spooner; seconded by Alderman Hawkins to authorize City Manager to sign Hard'ack agreement in substantially similar form as presented.**

Mr. Spooner noted 14.f. of the agreement which states, "abide by the Hard'ack, Inc. Bylaws." He asked if it's correct that they do not have bylaws currently. Mr. Cloud responded that Hard'ack has existing bylaws very similar to what was drafted for St. Albans for the Future. The bylaws need to be updated as part of this process and both parties are in the process of doing so. Mr. Spooner stated that he wants to make sure that this agreement does not contradict the existing bylaws or contradict the City charter. Mr. Cloud explained that the process is to sign this agreement, amend the bylaws and have a closing on the land and the council, under this agreement, has appointment and removal authority of the members. Mr. Hawkins stated that he doesn't think the bylaws will be amended but rather restated. Mr. Cloud stated that as an independent nonprofit with an exuberant volunteer spirit, the Hard'ack board has had a different culture and both parties been having a lot of conversations about what that means but until the agreement is signed, nothing else will move forward. Mr. Cloud added that Hard'ack is raising money to actively move ahead to build a new warming shelter for next season and very much want the City to be involved in that process, but until the agreement is signed, the City's role isn't clear.

Mr. Spooner noted # 19 of the agreement which reads, "The Recreation Area shall be perpetually used for the benefit and recreation of the community, St. Albans City, St. Albans Town and Franklin County with an emphasis on the children unless both Hard'Ack and the City agree otherwise." He asked why it couldn't just be stated that it shall be used for benefit of recreation, the community and the public. Mr. Cloud responded that he believes that description is in some of the Hard'ack founding documents.

Mr. Spooner noted # 21 of the agreement which reads, "All of Hard'Ack's discretionary fund accounts and book entries shall be kept and maintained by the City's financial office. The Hard'Ack Board shall have access to these fund accounts within business hours of the City or as mutually agreed upon." He asked if that's not basically what the City has as a government now. Mr. Cloud responded that this came from the original language that the Hard'Ack Board created. He stated that like St. Albans for the Future, the City's strength is the administrative piece. Hard'Ack's strength is in volunteerism and operations but one of the functions that the City performs is the accounting function. Hard'Ack wants to be sure that because the City is keeping the books, they have access to the funds. Mr. Spooner asked if it's not correct that as a public entity, the City allows the public to view the City's books anytime they'd like during business hours. He wondered why that was being included in the agreement if as a government agency, that's what the City does anyway. Mr. Cloud responded that it's because its discretionary fund accounts and funds that Hard'Ack has raised and the City keeps the books for both the City side and the nonprofit side and the nonprofit side is a little bit different than the City side.

Mr. Spooner noted # 25 of the agreement which reads, "No portion of the real property comprising the Recreation Area shall be conveyed, gifted, sold or otherwise disposed of without the approval of the St. Albans City Council and three-quarters (3/4) of the Hard'Ack Board." Mr. Spooner commented that he does not like that and would also like there to be a public vote. He stated that technically speaking, the council could axe everyone on the Hard'Ack Board and replace them with members that share the same vision as Council and there would be no recourse for the public. He asked how the City would get rid of Barlow Street Park or Houghton Park and asked if it's correct that it would have to go before the public for a vote. Mr. Cloud responded negatively and stated that some of them have deed restrictions. Mr. Cloud recalled that the City buys and sells property all the time with its redevelopment plans and isn't a restriction that's on the City. He added that it is unique part of the City's Charter that allows that flexibility and is important. Mr. Cloud stated that it's something that could be considered and negotiated but is a pretty heavy restriction. One of the discussion points is that the Hard'Ack Board views this as a community resource that breaks down barriers as Franklin County and asked where the vote would occur if it's not specific to the City. Mayor Gamache commented that she doesn't share that level of concern and feels the council is elected by the voters to represent the voters. Mr. Pelkey agreed with Mayor Gamache's sentiments. Mr. Cloud stated that the removal provisions for the Hard'Ack Board is a for-cause removal and is a pretty high bar. He added that the members would have to all collectively commit some type of heinous act.

Mr. Spooner noted # 20 and asked how # 20 and # 23 do not contradict each other. Mr. Spooner stated that # 20 states Hard'Ack is entitled to 5% of the gross income and # 23 states that all money earned at Hard'Ack will be used for Hard'Ack. Mr. Cloud responded that the Hard'Ack Board has spent decades acquiring land and creating a recreational resource and are giving it to the City for free. In lieu of that, they are asking for a 5% adder onto events that occur. As an example, an event would cost \$105 instead of \$100 but \$5 would be transferred over to the discretionary fund and is what recognizes the substantial asset that this nonprofit is bringing to the table. It's a relationship that plays to the strengths that ultimately is integrated amongst the council but also preserves some

independence. Mr. Cloud stated that the second piece is that money raised at Hard'Ack would stay at Hard'Ack. Mayor Gamache noted that it's not strict because it has the provision that if an offset expenditure is approved by Hard'Ack and the City, the money wouldn't have to stay at Hard'Ack.

**Vote was unanimous, 6-0.**

13. Mayor's Report.

a. 2016 & 17 Goals and Objectives (D&V).

Mayor Gamache explained that the council packet includes a compilation of the work done at the previous meeting to identify goals and objectives for 2016 & 17 along with some carry overs from the current strategic plan. She worked with Mr. Cloud to categorize many of the different ideas and hopes they've all been captured accurately. Mayor Gamache proceeded to read aloud the 8 categories (See Attached Goals and Objectives 2016 & 17). Mr. Spooner noted that there was an exorbitant amount of people raking their leaves into the street this year and would like to add the exploration of that issue to the list to help residents with disposal and educate them on how to compost. He would rather it not be an enforcement action.

Alderman DiFranco asked if Lake Street could be added to the public safety section for crosswalks. Mayor Gamache responded affirmatively. Ms. DiFranco explained that on Lake Street there is nothing to help slow the speed of traffic and by the time vehicle reach a crosswalk, they are traveling 35 mph and don't stop. Cloud noted that the crosswalk concerns are noted twice under Public Safety and also as # 4 under Operations but thinks what Ms. DiFranco is talking about is more of a traffic calming measure. Ms. DiFranco responded affirmatively. She explained that when people are traveling Eastbound into the City, there is nothing to slow the vehicles down until they reach the 4-way stop. Mr. Cloud suggested making the changes and bringing the goals and objectives back before council next month.

14. Other Business.

Mr. Hawkins stated that he has been thinking about the council's posture on warrants, why there is a need for council to sign them and what the process is all about. He stated that he would never second guess Accounting, Public Safety or the City Manager's request for an invoice for something that they feel the City needs. He believes if there are any charter rules or old procedures regarding the signing of warrants, they are antiquated and finds it ridiculous to be questioning what the employees need for their departments. He added that the City has a strong Finance Department, a budget process, auditing and oversight from the City Manager and Department Heads. Mr. Hawkins noted that there are times when checks needs to be signed by the City Clerk before being approved by council due to the expediency of money that needs to go out and Mr. Leitz has come up with a lot of good measure to prevent late charges and finance charges from taking place which requires items to be paid before approval. Mayor Gamache asked Mr. Hawkins if he's proposing that council no longer views the warrants in the packets. Mr. Hawkins responded negatively. He explained that the City has a very, very deep staff and 4 to 6 staff members look at the warrants before payment goes out. He added that council receives monthly updates and has a Finance Sub-Committee. Mr. Pelkey agreed that the system is antiquated and agreed with Mr. Hawkins' comments. Mr. Spooner stated that he actually likes looking at the warrants and does sometime see items that trigger him to ask questions about what is happening in the City. He added that he believes it would require a charter change. Mayor Gamache asked Mr. Cloud if he felt there was value in having the check and balance from a staff perspective. She noted that the warrants would still be part of the council packet but would likely lead to more time asking questions at the council meetings Mr. Cloud responded that he'd like to do some research at the staff level. Mayor Gamache stated that the tradeoff she sees is it slowing things down at the council level.

Mr. Pelkey asked why the Readsoft program can't be set up to remove the approval process but allow all councilors to view the warrants.

Mr. Spooner noted that 10 Edward Street has a front window wide open on the second floor. He noted the granite corner of Lake and Federal and asked if it would get fixed during the intersection project. He stated that it juts out at an angle and then goes straight. Mr. Cloud responded that he would look into it.

Mayor Gamache acknowledged all the efforts from staff, volunteers and business sponsors for all the events taking place in the Downtown from the Festival of Trees and beyond. She has received more appreciation this year than ever. Mr. Spooner thanked City staff, volunteers and members of the Police and Fire Department who worked behind the scenes.

Mr. Spooner asked when the Board Celebration will be this year. Mr. Sawyer responded that it will be on January 19<sup>th</sup> at City Hall and guests are welcome.

15. Consider approval of minutes: Reg. Mtg. 11/14/16 (D&V).  
**A motion was made by Alderman Hawkins; seconded by Alderman Pelkey to approve regular meeting minutes form 11/14/16. Motion carried, 5-0 with Alderwoman Laddison abstaining.**
16. Consider approval of warrants: 11/28/16 & 12/9/16 (D&V).  
**A motion was made by Alderman Hawkins; seconded by Alderman Pelkey to approve warrant for 11/28/16. Vote was unanimous, 6-0.**  
**A motion was made by Alderman Hawkins; seconded by Alderman Pelkey to approve warrant for 12/9/16. Vote was unanimous, 6-0.**
17. Adjourn.  
**A motion was made by Alderman Pelkey; seconded by Alderman Hawkins to adjourn meeting at 8:39 pm. Vote was unanimous, 6-0.**

Respectfully Submitted,

Kristen Smith  
Community Relations Coordinator