

**St. Albans City Council
Minutes of Meeting
Monday, January 13, 2020
City Hall, Council Chambers**

A regular meeting of the St. Albans City Council was held on Monday, January 13, 2020, at 6:30 pm in the City Hall Council Chambers.

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

Council Absent: None absent.

Staff Present: Dominic Cloud, City Manager; Chip Sawyer, Director of Planning & Development; Tom Leitz, Director of Administration; Curry Galloway, City Clerk & Marty Manahan, Director of Public Works, Operations & Business Development.

Visitors: See attached sign-in sheet.

1. Executive Session Re: real estate development, contract negotiations and litigation.
 - a. The Council finds that premature disclosure would compromise the City or person involved (D&V).
A motion was made by Alderman McCarthy; seconded by Alderman Pelkey to find that premature disclosure of the above matters would compromise the City or person involved. Vote was unanimous, 6-0.
 - b. The Council moves to enter Executive Session for purposes of discussing real estate acquisition, contract negotiations and litigation (D&V).
A motion was made by Alderman McCarthy; seconded by Alderman Pelkey to enter Executive Session for purposes of discussing real estate acquisition, contract negotiations and litigation. Vote was unanimous, 6-0.
Alderman Spooner arrived at 5:47 pm.
A motion was made by Alderman Hawkins; seconded by Alderman Pelkey to exit Executive Session. Vote was unanimous, 7-0.
2. Convene Open Session with Pledge of Allegiance.
Mayor Smith called the meeting to order at 6:30 pm and led the pledge of allegiance.
3. Public Comment on items not on agenda.
Samuel Hanson introduced himself. He has been a resident since the age of 8. He's been an athlete and musician in the community as well as a wrestling coach. He believes he has been profiled and harassed by the St. Albans Police Department. He has been living at his current address for 2 years and plays his music freely. The police received a complaint from Messenger Street about noise complaints. Mr. Hanson stated that Officer Fuller entered his residence unannounced. He asked the officer why he entered without knocking at which time he stated that the porch door and main door was open. Mr. Hanson stated that that was untrue as he has several domesticated rescue cats and always keeps the doors closed. When Mr. Hanson questioned him, Officer Fuller threatened to arrest him. Cpl. Schwartz then came to the property and apologized to Mr. Hanson for Officer Fuller's actions. He explained that he has received mixed messages from the police department as to when he is allowed to play his instruments. Judge Mello gave Mr. Hanson his blessing to play his instruments during reasonable hours

with his window partially closed. Mr. Hanson stated that he has a doctor's note and uses music as his form of mental and physical therapy. On January 5th at 12:30 pm, a neighbor again called the police department to report his music was too loud. When the police arrived, he observed Officer McMahon attempting to kick in his door and then using his shoulder to gain entrance to his apartment. He then went to another door accompanied by Officer Cote at which time the neighbor who had reported Mr. Hanson, began to shout profanities. The officers issued a \$25 noise ordinance violation to Mr. Hanson. He believes he is being unjustly profiled, has sound proofed his room and only plays his instruments for 90 minutes a few times a week.

Mayor Smith noted the resolution that Mr. Hanson mentioned he came to with his neighbors and asked for clarification. Mr. Hanson responded that he went to court with his neighbor at 42 Messenger Street and they came to a resolution to have him play his music at a reasonable time with his windows mostly closed. The resident at 41 Messenger has only called the police on him in retaliation for him calling animal control because they've left their cat outside for a month.

Mr. Pelkey asked Mr. Hanson if he has copies of the City ordinances. Mr. Hanson responded affirmatively. He stated that he's received conflicting stories from officers as to what the noise ordinance is.

Mayor Smith stated that Mr. Cloud will follow up with the Police Chief and get back to him. Mayor Smith thanked Mr. Hanson for coming in and for the way he has handled this.

4. Recess for Liquor Control (see separate agenda).

A motion was made by Alderman Hawkins; seconded by Alderman Spooner to recess for liquor control. Vote was unanimous, 7-0.

5. Planning Report, Chip Sawyer

- a. Public Hearing / Second Reading of amendment to height regulations in Service-Industrial District.
Mr. Sawyer recalled that this is a request to increase the height of a structure in the S-I District to 105 feet, namely the St. Albans Creamery. The amendments are on the 2nd page of the packet of Section 513. It would allow the DRB to grant waivers around the City for structures to be up to 105 feet for storage or processing only.

Mr. McCarthy asked if it's correct that the creamery can go before the DRB if this gets approved tonight. Mr. Sawyer responded affirmatively and explained that there would be a 21-day waiting period.

Kathy Strohm of High Street introduced herself. She noted that she can see the skyline from her home and with the setback requirements, she wondered if the creamery is just wanting this higher structure because it's easier. She stated that it seems the creamery could install another silo at 85 feet if set back. A representative of the creamery stated that they flew balloons and windsocks to represent the difference in height. The purpose of the larger silo is to increase storage in the facility so they can fully utilize their production equipment. This is a way to meet their demand and not grow the footprint. Ms. Bourgeois stated that they are constrained as far as the footprint goes. The representative of the creamery noted that the silo will be the difference of 50,000 and 70,000 gallons. Mr. Strohm asked the representative what the silo will be made of. He responded that it will be stainless steel and as part of the phase, the existing silo will be painted. He stated that there are other structures in the skyline that are higher than what this silo will be.

- b. Consider adoption of amendment to height regulations in SI District (D&V).

A motion was made by Alderman Spooner; seconded by Alderman Pelkey to adopt amendment to height regulations in SI District. Vote was unanimous, 6-1 with Alderwoman Bessette abstaining.

c. Public information session on grant application to USDA RD Community Facilities program for public safety equipment.

Mr. Sawyer noted the plan to move the public safety building to South Main Street. There will be significant equipment and furniture needs with the move. Staff applied to this grant program for \$109,000 and would cover dispatch consoles, a radio tower, close circuit tv system and security equipment. A requirement of the grant program is that they hold this public meeting and should find out if the City is awarded the grant next month. The funds would be released in in June. Mr. Spooner asked Mr. Sawyer if the City has applied for similar grants in the past. Mr. Sawyer responded that he is aware of DOJ grants but can't recall any USDA grants for public safety.

6. Public Hearing for Charter Amendment regarding Local Option Tax.

a. Information and overview from Economist Jeff Carr, Economic and Policy Resources.

Mr. Carr was unable to attend.

b. Local Option Tax Policy, City Manager and Council.

Mr. Cloud stated that council has been exploring a LOT (Local Option Tax). This is a new opportunity that allows the City to capture some of these revenues. To that end, the consultant has estimated a revenue stream of \$630,000. It doesn't include any revenues from the rooms tax. One of the questions asked is what this means in terms of the property tax. He stated that it is .14 on the tax rate. Council has adopted a policy on how to use those funds. Mr. Cloud proceeded to read aloud the following policy guidelines:

- Utilization of local option revenues will be proposed to the voters through the annual budgeting process.
- Local option revenues should reduce pressure on the property tax while continuing the City's record of public investment.
- At least 7.5 percent of annual local option revenues shall be utilized to reduce the cost and increase access to recreation programming for the disadvantaged and the elderly.
- At least 5 percent of annual local option revenues shall be saved and used to create a Rainy Day Fund or undesignated fund balance.
- At least 5 percent of annual local option revenues shall be directed to replenish the Redevelopment Fund.

He believes this is a no brainer for City voters; they won't be giving up any control and will be gaining the City's services and tax burden to be spread out over a larger audience. Mr. Carr has repeatedly said that it's big enough to make a difference but is not large enough to cause any disruptive impact in the communities that have adopted it. There is no evidence that adoption of a LOT has impacted behavior. He noted that all of the competing municipalities have already adopted a LOT.

Mr. Cloud proceeded to read aloud the article that would be placed on the warning. There will be additional public hearings on February 10th and February 24th. Mayor Smith wondered if this would get the same attention if tied into an existing council meeting. Mr. Cloud stated that all of the other items on the agenda can be tabled and will have Mr. Carr present on February 10th.

Mr. Pelkey noted that the constituents he's spoken to don't have a problem with a LOT. Mr. Spooner stated that the pool has drawn 10 times the attention. Mr. Cloud stated that staff is working on getting some outreach to populate the newspapers. They've also been working on getting some of the visuals of the pool.

c. Public comment and questions.

No public comment was made.

7. FY 21 Budget

a. City Manager presentation.

Mr. Cloud recognized the work of Mr. Leitz and department heads. The impact on the change on homeowners is 0%. The tax rate last year was .93 and will remain the same in the proposed budget.

Mr. Cloud proceeded to note the following highlights of the budget:

- Line 13 is the affiliation fee \$85,000.
- The first cost center is the finance/administration cost center; proposing \$20,000 for the redevelopment fund.
- Line 48 – HRA costs – there is a decrease in budgeting from \$115,000 to \$100,000 and is working well.
- Legal – budgeting \$10,000 less in legal expenses.

Mayor Smith noted the income side of the RJC cost center and asked if discussions with the Town of Milton comes with funding. Mr. Cloud responded that RJC is hoping to raise \$50,000 from other communities and the City is in for \$30,000.

- City Clerk – continue to budget alcohol tax revenue at \$19,000. Mr. Spooner asked how dog licenses will increase from \$2,800 to \$13,000. Mr. Leitz stated that most of that revenue will be sent to the State.
- P&D Budget – total revenues of \$43,800.
- Line 41 – City marketing campaign has been reduced to \$10,000.
- Not a lot of activity in assessing. Line 27 – budgeted \$10,000 (same as last year) for a reappraisal.
- Debt Service – line 16 - \$42,000 is the annual debt service for the new police station. Line 21 is dispatch's share. Line 22 is debt service on \$100,000 for a new tower on Georgia Mountain. Line 53 – additional sidewalk plow for Public Works. Line 59 – is the last increase for the current bond portion of neighborhood sidewalks. Mr. Spooner asked if the sidewalk plow would be for an additional plow. Mr. Manahan stated that this is for a new unit that is much cheaper with a 48" broom vs. the current 54" brooms. He stated that 2 of the older plows in fleet are Viking and not made any more so parts will be expensive. They will continue to keep them running as long as possible. He added that there are other attachments such as mowers that can be outfitted to this new equipment.

Mayor Smith asked what the minimal retirement of debt service is. Mr. Cloud responded that there isn't any for the upcoming year.

- Fire Dept. – continues to have base revenues of just under \$100,000.
- Line 16 – salary adjustments are due to reclassifications.
- Line 63 – total net operations of \$260,000.
- Police Dept. – there are a number of things at play; the new station and the staff salary. Budgeting an additional \$225,000. The average raise in the union contract is 3.5% to keep staffing levels up in the department. This year, vacancies were filled with officers who had to go to the academy for 6 months. During that time, the City is paying them for the 6 months and also paying the overtime on the backend for the officers filling their spots.
- Revenues – budget proposes an increase to the contract with the Town of Highgate from \$24,000 to \$30,000 and also increases the hourly rate to \$69. Mr. Cloud stated that staff has run all kinds of analyses of the salary and overtime line items. He stated that to some

extent, it offsets the other but not entirely with the nature of police work. We need more officers in order to have the overtime be more manageable.

- Line 39 – Expenditures – VMERS; State is raising rates and seeing some increase in costs.
- Line 76 – took a year off from buying additional cruisers.
- Line 79 includes lease portion of building.

Mr. Cloud stated that there's a similar story for Dispatch and will continue to grow and regionalize our services. There is also the need to stabilize and invest in the infrastructure. This budget calls for an additional tower on Georgia Mountain which will cost about \$100,000. It requires staff to look at the model for other dispatch agencies. It is now entirely based around population and the fee is \$12 per person.

- Added an additional \$110,000 to salaries for dispatch and trying to have 2 people on overnight at all times, especially if we take on new agencies like Milton.
- Line 46 and 47 include the building lease and building expenses.

- Animal Control - \$20,000 budgeted.
- Recreation – Line 5 – misc. revenue up to \$124,056.
- Line 10 – Day Camp is up to \$110,000.
- Line 16 – revenue for City Hall events.
- Line 17 – struck a deal with outlying towns to pay the difference in City/Non-resident rates.
- Line 28 – part time help.
- Line 36 – instructor fees
- Line 47 – credit card fees.

Mayor Smith asked Mr. Cloud if a Day Camp Director has been hired yet. Mr. Cloud responded that he hasn't heard that they have.

- Pool - budgeting \$120,000 in revenues and \$118,000 in expenditures. One of the innovations rolling out this fiscal year is that there needs to be a sibling discount. A new program will be phased in so a 3rd kid is 50% off and a 4th child is free.
- Hard'ack expenditures – reflects the move of the Rec office. Barlow has been collecting more revenue for programming and rentals than we're getting for base tenants. The building costs \$35,000/year to operate.
- Public Works – line 11 is debt proceeds coming in from new snow removal device.
- Reduction in salary line item is due to reclassification.
- Tree program is level funded at \$20,000.
- Line 72 – continuing to see saving for electricity in street lights.
- Line 88 – new line item for Cioffi park maintenance in the amount of \$1000.
- Increased Taylor Park line item by \$8,000 and level funded Barlow.
- Line 111 – CIP portion of street paving budget which has a small increase.
- Parking Program - Line 11 - hotel is continuing to exceed their projections but have realized they don't need as much parking.
- Line 38 – reduced capital reserves slightly down to \$36,000.
- RJC – the City puts in \$30,000 but bulk is state and federal grants. There isn't any charge for the administrative support that we provide.

Mr. Spooner asked if there's a plan for the existing public safety facility. Mr. Cloud responded that one of the ideas is to move the RJC to that building. Part of that discussion is what to do with the Fire Department and begins to get into the regionalized fire concept. None of those conversations

have been had with the town and just focused on getting through phase 1 at this time. Mr. Spooner stated that our policing is reactive and would like to know what the police department will do to be more proactive in an effort to reduce crime. He asked what kind of time is spent doing community policing. Mr. Cloud noted the SRO program which isn't 100% funded, the Parks Patrol and various events such as Coffee with a Cop. He agreed it's an area we could do more on. In the interview process, the Chief talks a lot about community policing as a value and the relationship with the community and the importance of building that relationship.

Mayor Smith asked if funds were in the budget for the Maple Street Park. Mr. Cloud responded that there aren't any funds yet because a plan isn't in place. Ms. Viens will have the playground specialist provide a proposal. Mayor Smith noted that there might be \$50,000 in grant money available as well.

Mr. Spooner asked if there is anything in the budget for graffiti removal or art projects in the City. Mr. Cloud responded that the removal is covered through an existing maintenance and repair line item and a mural could fall under the City Marketing campaign.

b. Finance Committee recommendation.

Mr. Hawkins stated that the committee doesn't second guess staff and one item they received was historical data between budget vs. actual over the last 5 years. He stated that the reoccurring themes have always been roads, police, sidewalk and recreation and never would have thought it could come in as a 0% budget. Mr. Spooner asked Mr. Cloud what will happen if LOT fails. Mr. Cloud responded that he doesn't believe there will be a pool. The pool and neighborhood sidewalks will rely on the LOT in order to have a 0% increase. Mr. Hawkins reiterated that the reoccurring themes will not be taken care of without the LOT which will take the burden off the tax payer. Mr. Hawkins stated that sidewalks and \$400,000 for the police facility are in this budget.

Mayor Smith thanked staff for coming in level funded.

c. Council discussion.

No additional council discussion.

d. Public Comment.

No public comment was made.

e. Possible motions of amendment or adoption (D&V).

A motion was made by Alderman Hawkins; seconded by Alderman McCarthy to adopt FY 21 Budget. Vote was unanimous, 7-0.

8. Review of Town Meeting Day Warning

a. Article 1: election of officers

Mr. Cloud noted that he omitted the election for Clerk and Treasurer in error.

b. Article 2: City budget

Mr. Hawkins asked if we can include language that there's a 0% increase. Mr. Cloud noted that this is the language we've always used.

c. Article 3: Community Pool

Mr. Cloud read aloud. Mr. Spooner asked if the language should include that the City's responsibility would be half or "contingent upon the Town". Mr. Cloud responded that he will check with Paul Giuliani.

d. Article 4: charter amendment

Mr. Pelkey asked if the term, "local option tax" should be included. Mr. Cloud suggested renaming the article. Mayor Smith asked if the word "completion" could be included in Article 4.

e. Article 5: Fonda brownfield and site improvements

Mr. Spooner asked if the co-op is going to get their construction done in time for it to be added to TIF revenue. Mr. Cloud responded affirmatively.

Mr. Cloud stated that a special meeting is scheduled for the 23rd to approve the Town Meeting Day Warning.

f. Possible motions of amendment (D&V).

No motion was made.

9. Consider Resolution authorizing Mayor to sign purchase and sale documents for Unit 3 at Congress & Main (D&V).

Mr. Cloud stated that unit 3 is the CHT building that is being built in a turnkey construction method by Snyder Construction. The P&S is with the City and Snyder. Snyder has a separate agreement with CHT to purchase it; \$600,000 for land and an additional \$1,454,000 for improvements.

A motion was made by Alderman Spooner; seconded by Alderman Pelkey to authorize Mayor to sign purchase and sale documents for Unit 3 at Congress & Main. Vote was unanimous, 7-0.

10. Mayor's Report.

Mayor Smith asked Mr. Manahan if it's correct that Public Works didn't get called out on the holidays. Mr. Manahan responded that they did get called out on Christmas Eve and New Year's Eve. He thanked the crew for their efforts and hard work and continues to get good reviews. He thanked all the volunteers who participated in the Festival of Trees, Running of the Bells, Tractor Parade and all of the holiday events that brought people to the downtown. He thanked the police as well.

11. Other Business.

Mr. Hawkins asked what the residential requirements are for winter parking. Mr. Manahan responded that they will get a warning first followed by a ticket and tow. Mr. Hawkins asked about Brainerd Street. Mr. Manahan responded that if a vehicle isn't moved within 24 hours, a ticket will be issued. He noted garbage left out on the street and asked if the City picks it up. Mr. Manahan responded that Public works will notify the homeowner and if it's not picked up in 24 hours, it will be picked up and the homeowner will be notified.

Ms. Laddison asked for an update on Congress & Main. Mr. Cloud responded that the steel is being erected and the City is beginning to phase out of the project because a lot of the site work is completed. The last item is negotiating the P&S for the market rate units. The podium will be going up for those and the next meeting will be held on Wednesday. Mayor Smith asked if all soils have been transported to their final destination. Mr. Manahan responded affirmatively and stated that there is some soil that is at the Public Works garage and will be brought back to the site.

Ms. Bessette asked for a status on the trash hauler stickers. Mr. Pelkey thanked Public Works for keeping the streets safe.

12. Warrants and Minutes

a. Consider approval of warrants: 12/13/19 & 12/31/19 (D&V).

A motion was made by Alderman Hawkins; seconded by Alderman Pelkey to approve 12/13/19 warrants. Vote was unanimous, 7-0.

A motion was made by Alderman Hawkins; seconded by Alderman Spooner to approve 12/31/19 warrants. Vote was unanimous, 7-0.

b. Consider approval of meeting minutes: Reg. Mtg. 12/9/19 (D&V).

A motion was made by Alderman Hawkins; seconded by Alderman Pelkey to approve 12/9/19 minutes. Vote was unanimous, 6-0 with Alderman Spooner abstaining.

13. Adjourn

A motion was made by Alderman Hawkins; seconded by Alderman Pelkey to adjourn meeting at 8:50 pm. Vote was unanimous, 7-0.

Respectfully Submitted,

Kristen Smith

Community Relations Coordinator

Approved