St. Albans City Council
Minutes of Meeting
Monday, March 11, 2013
City Hall, Council Chambers

A meeting of the St. Albans City Council was held on Monday, March 11, 2013, in the council chambers at City Hall at 6:30 pm.

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

Council Absent: None absent.

Staff Present: Dominic Cloud, City Manager; Chip Sawyer, Director of Planning and Development; Peg Strait, Director of Finance & Administration; Brad Lanute, Zoning Administrator and Sue Krupp, City Clerk and Treasurer.

Visitors: See attached sign-in sheet.

Open Session

1. Call to Order in Council Chambers. Mayor Gamache called the meeting to order at 6:35 pm.

2. Pledge of Allegiance. Mayor Gamache led the pledge of allegiance.

3. Recognition of Outgoing Councilperson Richard Peters (Mayor Gamache).
   Mayor Gamache recognized and presented a plaque to outgoing City Councilman Dick Peters who served the City for 35 years both on City Council and in the City Clerk's office.

4. Swear in New Members (City Clerk).
   City Clerk, Susan Krupp, swore in Ward I Alderman, Timothy Hawkins and Ward II Alderman, James Pelkey.

5. Public Comment. No public comment made.

6. Adopt Investment Policy Statement (D&V).
   Mayor Gamache explained that the investment policy has been previously reviewed by the Finance Committee and City Council during a work session. Anne Doremus of Hanson & Doremus was present to share a brief overview of the investment policy previously reviewed. Ms. Doremus provided the definition of an investment policy which is the document that is used to describe the responsibilities that the City has around managing the funds used to pay benefits under the defined benefit plan. She explained that the document itself spells out the objectives of the plan and strategies used to meet those objectives. The statement also specifies who owns what responsibilities and how specifically the funds will be invested to meet the stream of obligations going forward. Ms. Doremus stated that previously, the plan has been invested strictly in bonds and has been administered by Prudential Securities who has done a great job. Due to the financial markets, the outlook for bonds are subpar going forward and she recommends moving 35% of the assets into stocks in order to achieve greater returns in the future.

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A motion was made by Alderman Spooner; seconded by Alderman Young to adopt investment policy statement presented on March 11, 2013. Vote was unanimous, 6-0.

7. Adjourn for Liquor Control (see separate agenda).
A motion was made by Alderman Spooner; seconded by Alderman Pelkey to recess out of regular session and commence as Liquor Control Board at 6:48 p.m. Vote was unanimous, 6-0. (See Liquor Control Board minutes).

8. Taylor Park Fountain Restoration: Mid-course Check-in and Draft Estimates.
   a) Bob White, ORW Consulting.
   Mr. Sawyer introduced Mr. White of ORW Consulting and stated that he leads an experienced team of metal workers and engineers who have been analyzing the pieces of the fountain to create a draft estimate for its repair. Mr. White explained that he would be presenting a working draft of their study on the fountain, a working draft of the budget as well as a drawing that represents a technical interpretation of its elements. (See Restoration Plan for the Taylor Park Fountain Handout & Diagram). Mr. White explained that the first part of their work involves developing a historical profile of the fountain. Mr. White provided a historic background of the fountain and its ornamental pieces. He stated that the goal for restoration is to respect and honor the historic piece and restore its integrity. Mr. White displayed photos of the fountain taken from the late 1800's noting each intricate piece of the fountain from the base up. He noted that the water feature at the time was much like a fire hydrant, spraying in all directions. Mr. White stated that their goal would be to preserve the fountain's water feature but not to the extreme that it once was. He added that they believe at one time there was lighting on the fountain but is not included in the restoration proposal. Some fountains of the same time period had bronzing or gold leafing used as an accent color although they are not sure that the Taylor Park fountain ever had that feature or what its original color was.

   Mr. White proceeded to discuss the findings from their engineering team. The team discovered that there is a concrete frost wall underneath the exposed granite pool and are unsure if the granite is pinned to the concrete foundation. The engineers believe that the steps on the west side were created as a buttress but failed structurally and a new method will have to be found to stabilize the outside ring of the fountain on the low, downhill slope. The pool base itself is heavily cracked and the current floor level is shallower than the historic depth of the pool. The recommendation is to replace the fountain floor with a different material that would create a more effective, durable liner. Mr. White explained that the presumption is that the circular basin will be refilled up to a comfortable water depth level, finished with sand, and then a bridge deck made of a heavy duty rubber like material or a substance similar to a bed liner would be used to seal the bottom of the basin and extend up to the granite. He added that the material is cost effective and easy to repair and that the base the statue sits on is in good condition. It is also recommended that an underground vault located at the base of the pool which is no longer functional be removed and instead insert sleeving for the new water and drain lines for the new water supply.

   Historically, water ran in and out of the fountain through the municipal water system, using a large supply of water. Mr. White stated that in an effort to reduce the water usage, the system could be placed on a timer or constraint, but would still use a considerable amount of water. The other option is to institute a re-circulating system that brings public water into a system in the form of a vault that could be completely underground or off to the side of

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the fountain structure itself. The vault housing the re-circulating system would also house a pressurizing system and filtration system. Mr. White explained that the control of the existing flow through system would cost just under $8000 vs. roughly $30,000 for a re-circulating system. The estimated annual retail water price, however, would be $90,000 making the re-circulating system a more economical option. Mr. Doyle asked how frequently new water and chlorine would need to be added to the system based on evaporation. Mr. White stated that chlorine would not need to be added and that the water in the system would be drained at the end of the season. Mr. White added that research from their plumbing engineer found that there is not a public water standard for fountains in regards to chlorine but the recommendation for a filtration system exists which would cost just under $4,000 annually to maintain. Mr. White stated that both the flow through option and re-circulating option would require some level of maintenance.

It is the consensus of both metal and restoration specialists that the fountain will need to be completely disassembled, sandblasted and fully cleaned and finished inside and out and reassembled with stainless steel hardware. Mr. White proceeded to discuss and present diagrams of the historic water features for all three tiers of the fountain. Mr. Spooner asked which water spray is most commonly used today by other communities with fountains similar to ours. Mr. White responded that it varies widely. He further explained that what they are proposing in the re-circulating system is a similar water effect but with more water efficiency, all controllable with adjustable valves for each of the features. Mr. Spooner asked if it's possible to access the controls remotely. Mr. White responded affirmatively. Mr. Young asked if we will have the option to replace the concrete underneath the granite. Mr. White responded affirmatively. Mr. White proceeded to provide a breakdown of the estimate for probable cost of the restoration work which totals $506,707.87 and provided different options. Mr. Doyle asked how essential some of the foundation work is. Mr. White explained that the perimeter foundation around the granite which is underground is in decent condition but the floor of the base is in poor condition. Mr. Spooner asked Mr. White if they have ever worked on similar projects where volunteers provided labor and/or materials. Mr. White responded that their most recent project includes a fountain located in St. Johnsbury which had a significant amount of services donated. Mr. Bean commented on two safety concerns which include the depth of the water base and the slipperiness of a terraced slope. Mr. Hawkins asked what the timeframe is for completion and asked if the restoration would be finished by the end of September, 2014 for the 150th anniversary of the St. Albans Raid. Mr. Sawyer stated that there is much more consulting that will need to take place with ORW to fine tune the details. Mr. Cloud stated that a discussion also needs to take place regarding how the project will be funded.

9. <u>Second Reading: Parking Ordinance (D&V) (Chip Sawyer).</u>
Mr. Sawyer explained that at the last council meeting he introduced some changes to the City Ordinances that would implement recommendations of the Ad-Hoc Parking committee, Master Implementation committee and council. These revisions would change the effective time period of the 2 ½ hour parking limit on Downtown streets to Monday through Saturday, 9:00 am to 6:00 pm, excluding holidays and aid in simplifying the parking signs for the Streetscape project. The revisions would also correct some formatting errors in this particular section of the City Ordinances. Mr. Doyle asked whether someone could technically park their vehicle at 4:00 pm and return to it at 2:00 am while still following the proposed change. Mr. Cloud responded affirmatively.

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A motion was made by Alderman Young; seconded by Alderman Spooner to accept the amendment to the current ordinance regarding timed parking zones as a second reading. Vote was unanimous, 6-0.

10. First Reading Sign and Noise Revisions to Zoning (Chip Sawyer).
Mr. Sawyer explained that the proposed revisions to Sections 403 and 404 are designed to ensure that home occupations and industries do not produce repetitive noises or loud noises out of character with surrounding neighborhoods. The goal is to prevent home occupations from inordinately changing the character of their neighborhood with excessive noise, and to have some clearer and stricter noise standards that a development would have to meet when presented to the DRB (Development Review Board). Mr. Sawyer stated that the City currently has a noise ordinance in the City Ordinances which covers violations and time constraints but does not pertain to the rules that development must consider when proposing development in the City. Under Section 403 Home Occupations and Section 404 Home Industry, the lines, "The use shall not have noise levels above those that are characteristic with the neighborhood in which it is located" were added. Mr. Sawyer proceeded to explain that under 519 Performance Standards, it originally stated that no noises shall be permitted in excess of seventy (70) decibels (dBA). After reviewing noise standards and other municipality's guidelines, they found that seventy decibels is actually quite high, so the proposal is now 60 dBA between the hours of 6:00 am – 9:00 pm and 55 dBA between 9:00 pm – 6:00 am measured at or within the property lines of a Low Density Residential (LDR) or High Density Residential (HDR) area. Similarly, it is proposed that in any other location, noise must not exceed 65 dBA at any time. Mr. Sawyer stated that the goal is to limit a high level of noise that lasts all day long. Mr. Spooner asked how the use of a lawnmower or snow blower would apply since they would exceed the maximum allowed dBA. Mr. Sawyer responded that this ordinance is more subject to ongoing sources of noise and gave the example of a snow blower shop that constantly ran snow blowers.

Mr. Sawyer explained that the primary purpose for the proposed revision to Section 517 Signs is to streamline the signage approval process by allowing administrative approval by the Zoning Administrator (ZA) without a recommendation from the Planning Commission and Design Advisory Board (PC & DAB). Currently, any sign in the City must go before the PC & DAB which only meets once per month. The proposal includes submittal of quarterly reports of approved items to the PC & DAB from the ZA.

Mr. Lanute, Zoning Administrator, stated that there would be some instances where the ZA would refer to the DAB signage applications that do not conform to the aesthetic intent of the regulations. Sign provisions and standards are largely stated through four new tables to better inform applicants what they can and cannot do. Mr. Lanute added that the new format would also allow for more easily adaptable revisions by the PC. In addition, some changes and provisions were made to the maximum height requirements on freestanding signs and sandwich boards but the major changes pertain to reformatting the current standards. Mr. Doyle asked how difficult it would be to waive something that has been done recently such as a setback. Mr. Lanute responded that the DAB has the ability to waive maximum allowed area of individual signs, maximum allowed area of signage per business, setback requirements and visual clearance area.

11. Second Reading: Ordinance Re: DRB/PC Procedures (D&V) (Chip Sawyer)
Mr. Sawyer recapped the discussion of a prior meeting which included a complex set of zoning changes on fences and driveways and some housekeeping items. Mr. Sawyer explained that

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they are still working on the fence and driveway piece but are looking for council's approval of the housekeeping items. Under Subsection 603.2 – Site Plan Application Requirements and Section 705 – Design Advisory Board Procedures, proposed revisions to application requirements are to allow the appropriate board to determine the number of copies and electronic files required in an open meeting by majority vote. Mr. Sawyer stated that under Section 902 – Development Review Board, proposed revisions are to allow that the number of members and terms be set by the City Council.

Mr. Doyle asked why Part A. under Section 705 couldn't be rolled into Part B. Mr. Sawyer responded that the intent of the change is that Part A. would be superseded by Part B. Mr. Spooner stated that he believed it was already decided at a prior meeting to remove "from time to time" under Section 902. Council agreed to strike out "from time to time."

A motion was made by Alderman Doyle; seconded by Alderman Pelkey to accept changes to Sections 603.2, 705 and 902 with "from time to time" struck out and "705 Section A." struck out and be renamed "A". Section Vote was unanimous, 6-0.

12. Certification of Compliance for Town & Bridge Standards (D&V).
On behalf of Allen Robtoy, Director of Public works, Mr. Cloud asked council to affirm our existing Road and Bridge Standards. He stated that there are no changes and is strictly an administrative update.

A motion was made by Alderman Spooner; seconded by Alderman Young to approve Certificate of Compliance for Town & Bridge Standards. Vote was unanimous, 5-0 with alderman Pelkey abstaining.

13. Mayor's Report.
    a) Committee Assignments.
    Mayor Gamache asked council to let her know if they have interest in serving on a different committee.

    b) Retreat Timing.
    Mayor Gamache stated that she will be in touch shortly to talk about retreat timing which will be a two to three hour meeting used to set priorities for the upcoming year.

14. Finance Report (Peg Strait).
Ms. Strait stated that all of the information provided represents financial activity through the month of February which is generally a strong month with the third property tax coupon due at the end of the month. Total revenue in the General Fund is 71.5% of budget with a surplus of just under $291,000 compared to $279,000 at this time last year. Ms. Strait stated that collection of outstanding taxes continues to be strong, however, there is only about $34,000 left to be collected on taxes due from prior years in addition to the fourth quarter coupon from the current tax year. Ms. Strait proceeded to note individual revenue items that come in once per year and haven't yet been received (state payment railroad taxes, return of workers comp premium, per parcel payment by the State for assessing). Mr. Spooner asked if the $34,000 in delinquent taxes included individuals who have payment agreements on file. Ms. Strait responded affirmatively. Ms. Strait noted revenue items that are over budget for the Fire department which include unbudgeted grants that came in just under $17,000. She added that water fees were budgeted at $4,000 conservatively and is just under $4,200 at the end of February. Revenue items over budget in Public Works include two small unbudgeted grants in

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the amount of $3,000 and higher than anticipated excavation permits which are at 85% of budget at the end of February. In terms of Recreation, there is $130,000 in unbudgeted debt proceeds for the work at Barlow and lease proceeds for the van purchased in July. Without those items, Recreation revenue would be around 67% of budget. The unbudgeted debt proceeds are offset by capital expenses for Recreation.

Ms. Strait proceeded to discuss those funds under "Other Governmental Funds" that reported a change over the prior month. Ms. Strait noted that the only change in terms of the revolving loan fund is that the City realized about $21 in interest. The Federal Street Bypass fund shows an additional expense of $2200 that was paid to VHB. The Streetscape fund also shows an additional expense of $6,000 paid to VHB and Ruggiano Engineering. A sum of $64,000 was spent in general TIF expenses, the Ace project and the parking garage.

In terms of the Water Fund, there is a surplus of $8,000 and both revenue and expenses are at 113% of the budget year to date due to work that occurred on the Fairfax Dam after the budget was prepared. Wastewater is very close to target and the overage in capital is offset by higher than expected allocation fees yielding an overall deficit of $35,000. Mr. Young asked when the reimbursement of allocation fees will occur. Ms. Strait stated that it will happen this month but will not impact the current budget because it will come out of reserves from prior years.

15. Clerk/Treasurer Report

Ms. Krupp stated that dog licenses are due April 1st. Mr. Doyle asked Ms. Krupp to comment on taxi licenses in the report she distributed to council. Ms. Krupp responded that she is looking to identify who has received their taxi license in the City and exploring how other similarly sized municipalities are handling taxi licenses. Mr. Doyle asked Ms. Krupp if the State weighed in at all on municipalities in regards to collecting a Clerk recording fee from individuals applying for zoning permits. Ms. Krupp responded that the State statute mandates that any page an individual wants recorded costs $10. Mr. Doyle asked if that fee goes to the State. Ms. Krupp responded that $7 goes toward City Clerk fees and $3 is contributed to a preservation fund which pays for the land record recording system.

16. Minutes (D&V).

a) Special Meeting 1/21, Special Meeting 1/26, Regular Meeting 2/11, Special Meeting 2/18; and Budget & TIF Public Hearing 2/25.

Special Meeting Minutes from 1/21/13 were tabled for future meeting to verify that correct motions and votes were indicated.

A motion was made by Alderman Spooner; seconded by Alderman Young to approve minutes from 1/26/13. Motion carried, 5-0 with Alderman Pelkey abstaining.

A motion was made by Alderman Spooner; seconded by Alderman Young to approve minutes from 2/11/13 with the sentence, "Council's general consensus was that they would like to see the fountain return to its original format with a full spray and to present other additional options that would preserve a flowing water element" changed to "Council's general consensus was that they would like to see other options that would preserve a flowing water element." Motion carried, 5-0 with Alderman Pelkey abstaining.

A motion was made by Alderman Spooner; seconded by Alderman Young to approve minutes from 2/18/13. Motion carried, 5-0 with Alderman Pelkey abstaining.

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A motion was made by Alderman Spooner; seconded by Alderman Young to approve minutes from 2/25/13. Motion carried, 5-0 with Alderman Pelkey abstaining.

17. Warrants (D&V).
    a) 2/20/13 & 3/6/13
    A motion was made by Alderman Spooner; seconded by Alderman Young to approve warrants from 2/20/13 & 3/6/13. Motion carried, 4-0 with two abstentions.

18. Executive Session
    A motion was made by Alderman Spooner; seconded by Alderman Doyle to adjourn meeting at 9:29 pm and enter into Executive Session. Vote was unanimous, 6-0.

    At 9:45 pm Alderman Hawkins recused himself and left the room. Alderman Hawkins returned at 10:00 pm.

    At 10:00 pm Alderman O'Grady recused himself and left the room. Alderman O'Grady did not return.

    A motion was made by Alderman Young; seconded by Alderman Pelkey to exit Executive Session. Vote was unanimous, 5-0.

21. Adjourn.
    A motion was made by Alderman Spooner; seconded by Alderman Pelkey to adjourn meeting. Vote was unanimous, 5-0.

Respectfully Submitted,

Kristen Knoff
Administrative Coordinator

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