

**St. Albans City Council
Minutes of Meeting
Monday, December 10, 2012
City Hall, Council Chambers**

A regular meeting of the St. Albans City Council was held on Monday, December 10, 2012, in the Council Chambers at City Hall at 6:30 pm.

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

Council Absent: Alderman Tim Hawkins.

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

Visitors: See attached sign-in sheet.

Executive Session I

A motion was made by Alderman Young; seconded by Alderman O'Grady to enter into Executive Session at 5:35 pm, to consider civil matters, contracts, and labor relations, where premature disclosure would clearly compromise the City or person involved. Vote was unanimous, 5-0.

A motion was made by Alderman O'Grady; seconded by Alderman Doyle to exit Executive Session at 6:30 pm. Vote was unanimous, 5-0.

Open Session

1. Pledge of Allegiance. Mayor Gamache led the Pledge of allegiance at 6:33 pm.

Mayor Gamache noted that agenda item # 7, "Non-profit budget requests" would be tabled for a future meeting.

2. Public Comment. No public comment was made.

3. Mayor's Report.

Mayor Gamache asked everyone to please join her for a moment of silence in memory of former Mayor, Larry Larrow, who passed away a week ago and served as Mayor for the City from 1968-1970. Mr. Larrow was a great asset to the community and will be missed by all. Mayor Gamache also commended the tremendous volunteer effort by all of the community members who participated in the citywide holiday events this weekend and made them all possible; Festival of Trees, Running of the Bells, Gala Event, tree lighting at Taylor Park and festivities at the library.

4. Planning Commission/Design Advisory Board Appointments (D&V).

Mayor Gamache explained that there are currently three vacancies to be filled on the Planning Commission/Design Advisory Board and have received interest from two applicants. She added that both applicants, Jeff Bean and Chris Dermody are existing members of the Commission and unfortunately, Chris Dermody is unable to join tonight due to the passing of a family member but forwarded some comments to be shared. Mayor Gamache asked Mr. Bean to provide some

background with his experience on the Planning Commission, what he's accomplished during the duration of his current term and what he envisions for the future.

a. Jeff Bean

Mr. Bean introduced himself and explained that he has enjoyed his time on the Planning Commission which complements the time he's spent on the Downtown Board under the Design Committee. He is actively involved within the community as much as possible and feels that serving on the Planning Commission is a great stepping stone for future appointments and/or volunteer opportunities in the City. Mayor Gamache thanked Mr. Bean for all of his efforts thus far and asked Council if they had any individual questions for Mr. Bean. Mr. Spooner asked Mr. Bean if he had good attendance. Mr. Bean responded that he does and tries to attend every meeting. Mr. Young commented that Mr. Bean is an excellent member of the Commission and we are very lucky to have him.

b. Chris Dermody

Mayor Gamache relayed three points that Mr. Dermody expressed as current Chair of the Board. Mr. Dermody first wanted to recognize and commend the current Planning & Development team; Chip Sawyer, Director of Planning & Development; Brad Lanute, Zoning Administrator; Tamira Martel, Downtown Manager and Michelle Boudreau, Administrative Coordinator. Mr. Dermody wanted to express that the team has a good handle of what needs to be done in the Downtown and is moving that vision forward. Mayor Gamache added that Mr. Dermody also expressed that the Planning Commission has made tremendous progress and wants to continue to be a part of the continuous effort to make St. Albans City a place where anyone would desire to live. In addition, one of the things he would like to explore further as member of the Planning Commission are the conversion of large housing stock into fewer units such as the multi-housing unit being converted by Mike Smith on Messenger Street. Mayor Gamache added that she appreciates the leadership role Chris has taken with the position and supports his reappointment. Mr. Young stated that Mr. Dermody has done a great job on the Board and is a very patient person. He added that the City has a very strong, functioning Planning Commission. Mr. Doyle commented on the overwhelming response of applicants during the last round of board appointments and questioned why there were fewer applicants for the Planning Commission openings this round. Mayor Gamache responded that among the other boards that currently have openings, there was more interest received than spots available. Mr. Doyle also commented on Mr. Dermody's leadership ability and his ability to keep the Commission on task. Mr. Spooner noted that the Planning Commission terms are for three years but Mr. Dermody has only requested a one-year term if reappointed. Discussion ensued amongst Council over which term length to appoint Mr. Dermody to and agreed to appoint him to a three-year term with the understanding that he could resign after his first year.

A motion was made by Alderman Young; seconded by Alderman O'Grady to appoint Jeff Bean and Chris Dermody to Planning Commission. Vote was unanimous, 5-0.

5. Public hearing and first reading of proposed changes to section 513 of the Land Development Regulations.

Mr. Sawyer explained that the Cooperative Creamery is currently building a new store and will be expanding their milk drawing capacity. Part of that expansion at the factory necessitates the

installation of 5 silos which will be between 75-80 feet tall and a new dryer building which will also be between 70-80 feet tall. Mr. Sawyer further stated that our current Land Development Regulations state that within the service industrial district (S-IND District), the maximum height that the Development Review Board (DRB) can allow for any structure is 60 feet. He further explained that proposed revisions which would give the DRB the ability to approve an increase in the maximum height of a structure in the S-IND District of up to 85 feet was brought before the Planning Commission and passed by unanimous vote. Mr. Sawyer added that there was also a formatting change proposed to Section 513 that ensures the DRB has the ability to increase setback requirements for very tall structures and applies to the S-IND, B1 and B2 District. Mr. Spooner asked how tall the new Mylan building will be once constructed. Mr. Sawyer responded that he believes it will be 60 feet tall but added that there is an issue with some equipment that they might need to place on the top of the structure which could potentially put them over the height limit. Mr. Young asked Mr. Sawyer how we came to choose an 85 foot maximum and asked why a limit is even established. Mr. Sawyer responded that most communities set a number which may be arbitrary but that he also ran the number by the Fire Chief who explained that the Fire Department has a ladder with a maximum height of 100 feet in the event of a fire. The Fire Chief also stated that we should not take the height of the ladder as a sole consideration in determining our height maximum. Mr. Sawyer stated that approving this revision to the Land Development Regulations will aid the City with future economic development and in the future we might want to have a more comprehensive discussion about the height of buildings and what controls the City will have in place to make sure each buildings height situation is considered appropriately.

6. Public hearing on proposed application to Vermont Transportation Alternatives Program for Kingman St. Streetscape.

Mr. Sawyer explained that we have received Federal funding in the past from the Vermont Transportation Enhancement Program which included two rounds of funding for the Streetscape project, funding for the covered walkway between Chow Bella and Eaton's and funding for the sidewalk along Church Street in the park. Mr. Sawyer added that the name of the program has changed to "Vermont Transportation Alternatives Program". Mr. Sawyer explained that the plan is to apply for funds from this program to construct streetscape improvements on Kingman Street. In concert with the Downtown Streetscape Project, the Federal St. Connector and the Lake St. upper-block Project, the Kingman St. work would complete a new streetscape design around the City's core block. The maximum funding available from the Transportation Alternatives Program is \$300,000 with an additional 20% local match provided with TIF funds. The current Kingman St. project estimate is less than \$300,000 in streetscape costs, which decreases the funding we require and could make our application more competitive. Mr. Young asked if the parking lot near the Samaritan House is privately owned. Mr. Cloud responded that it is privately owned by Deringer's but is also a potential redevelopment opportunity. Mr. Doyle asked if the handout provided was just a preliminary design. Mr. Sawyer responded that we received a conceptual estimate from a design contractor and its purpose is primarily to show the project area. Mr. Sawyer stated that we would go through a design process and speak to the adjacent property owners.

7. Non-profit Budget Requests (D&V). To be discussed at a later meeting.

8. Financial Report, Peg Strait.

a. Presentation of 11/30 financial operations for the 3 major funds.

Ms. Strait explained that we were 42% through the current fiscal year at the end of November. Ms. Strait proceeded to address key line items within General Fund Revenue; the principle and interest on prior year's taxes are beginning to slow up as we began the year with two very successful tax sales. State Payments for railroad taxes are typically not seen until May. Journal entries for leases are done quarterly so the next entry will be done on December 31st at 50%. Ms. Strait stated that the return of premium on worker's comp following the worker's comp audit is the largest item under Miscellaneous Revenue and takes place in April or May. The per-parcel payment under Assessing is a payment that the State makes once per year and is typically between \$22,000 and \$25,000. The fire department has received an unbudgeted grant for equipment in the amount of \$17,000. Public Works also have a couple of unbudgeted grants at \$3,000 and the big revenue item is excavation permits which are at 7% of budget. Mr. Young asked about the pilot program line item. Ms. Strait stated that she tries to be conservative but the pilot program typically comes in higher than she budgets for. Mr. Cloud explained that the fluctuation of the pilot program is due to the fact that it is linked to local options sales tax.

Ms. Strait went on to address key line items within General Fund Expenditures. Under Administration, there is a working capital contingency of \$10,000 and an allowance for delinquent accounts in the amount of \$188,000. A journal entry will be made for both of those items at the end of December. Planning & Development capital is over budget due to the window work in City Hall which is now complete. Under Recreation there is capital of \$131,800 and little over \$100,000 of that is the Barlow Street project. Ms. Strait explained that we have a loan approved at People's Trust to pay for that project but have not yet drawn down any of that money so there is no offsetting revenue. Revenue is about 4.5% greater than expenses YTD which provides a comfortable surplus of \$325,000 in the General Fund. Streetscape will be paid with seven grants in total. We've spent \$178,713 so far this year but only one grant has come in to date for \$54,000. Sarah Duffy, City Accountant and Chip Sawyer, Planning Director are putting together the documentation to draw down four additional grants in December, two Tiger and two VTrans grants which will take care of the deficit. We have spent \$293,265 in the current fiscal year on various phases of TIF projects and just over \$188,000 of that was used to purchase the Moose Lodge. Mr. Young asked if it appears that we will be carrying a comfortable surplus through the end of the year if we stay on budget. Ms. Strait responded that she is confident that we will finish comfortably as long as we keep expenses under control which the department heads have been very diligent of.

Ms. Strait proceeded to address key line items within the Water fund. Both revenue and expenses are at 70% due to Fairfax Dam; the amount expensed for the Fairfax Dam is the same amount shown in revenue. Allocation fees and interest are also higher than budgeted for this year due to the Wagon Wheel and Harborview projects for both water and wastewater.

9. City Manager Report.

Mr. Cloud stated that a Special Meeting has been tentatively scheduled for Thursday, December 20th. The agenda items to be discussed are Development Review Board appointments, the co-op bylaw change request and a report from the consulting firm who conducted our wastewater treatment plan evaluation. Discussion ensued amongst council over their availability to attend this upcoming meeting. Mr. Cloud explained that he is hoping to hold this meeting before the end of the year and turned the remainder of his time over to Sue Krupp, City Clerk & Treasurer.

Ms. Krupp stated that there will be a Board of Civil Authority (BCA) meeting on Monday, December 17th which will take place in the City Clerk's office at 6:30 pm. She also explained that she has sent out license renewals for liquor/tobacco licenses and will add them to the agenda as they are received. In addition, Ms. Krupp stated that she will create an excel sheet to inform Council of any violations throughout the year and added that there are currently two parties who have paid nothing to date for their liquor license. Mr. Young commented that he had dinner at a local restaurant and there was "City tax" on the bill for .14 and asked Ms. Krupp what that was for. She responded that it was the liquor tax. Mr. Young also commended Ms. Krupp for her great work during the recent election. He stated that he was involved in the recount which is a very tedious task as the machines are not infallible.

10. Other Business.

Mr. Spooner stated that he's noticed a great deal of water on the side of Fairfield Street and wanted to know if Allen was aware. Mr. Cloud asked Mr. Spooner for the specific location. He responded that it is between Brown Avenue and High Street. Mr. Young added that the State is finally allowing bids on the railroad crossing at Elm Street. Mr. Spooner stated that the Request for Proposal (RFP) was pushed back to January 9th. Mr. Young stated that the email he saw stated it would be ready for construction this summer.

Mr. Sawyer added that there is a Public Hearing on Wednesday, December 12th at 6:30 pm located at the BFA library to discuss the Federal Street Connector project.

Ms. Krupp added that petitions for school boards or positions on council are available in her office now and must be in by January 27th.

11. Warrants 11/27/12 & 12/6/12.

A motion was made by Alderman Peters; seconded by Alderman Young to approve warrants from 11/27/12 and 12/6/12. Vote was unanimous, 5-0.

12. Regular Meeting Minutes 11/13/12.

A motion was made by Alderman Young; seconded by Alderman Spooner to approve regular meeting minutes from 11/13/12. Vote was unanimous, 5-0.

13. Adjourn and Enter Executive Session II.

A motion was made by Alderman Young; seconded by Alderman Spooner adjourn open session at 7:13 pm and enter into Executive Session II to discuss civil matters, contracts and labor relations agreements where premature disclosure would compromise the City or person involved. Vote was unanimous, 5-0.

A motion was made by Alderman O'Grady; seconded by Alderman Spooner to exit Executive Session and adjourn meeting. Vote was unanimous, 5-0.

Respectfully Submitted,

Kristen Knoff
Administrative Coordinator