

**St. Albans City Council
Minutes of Meeting
Monday, September 9, 2019
City Hall, Council Chambers**

A regular meeting of the St. Albans City Council was held on Monday, September 9, 2019, at 6:30 pm in the City Hall Council Chambers.

Council Present: Mayor Tim Smith; Aldermen: Michael McCarthy, Tim Hawkins, Chad Spooner and James Pelkey & Alderwoman Marie Bessette.

Council Absent: Alderwoman Kate Laddison.

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

Visitors: See attached sign-in sheet.

1. Executive Session, Second Floor Conference Room.
 - a. First motion: The Council finds that premature general public knowledge would clearly place the City at a substantial disadvantage (D&V).
A motion was made by Alderman Spooner; seconded by Alderman Hawkins to find that premature general public knowledge would clearly place the City at a substantial disadvantage. Vote was unanimous, 6-0.
 - b. Second motion: The Council moves to enter Executive Session to discuss a contract (D&V).
A motion was made by Alderman Spooner; seconded by Alderman Hawkins to enter Executive Session at 5:35 pm to discuss a contract. Vote was unanimous, 6-0.
A motion was made by Alderman Spooner; seconded by Alderman Hawkins to exit Executive Session. Vote was unanimous, 6-0.
2. Work Session, Second Floor Conference Room.
 - a. Discussion with Chief of Police re: noise enforcement & truck enforcement.
3. Convene Open Session with Pledge of Allegiance.

Mayor Smith called the meeting to order at 6:41 pm and led the pledge of allegiance.
4. Public Comment on items not on agenda.

No public comment was made.
5. Hearing and Resolution for a grant application to Community Development Program (D&V).

Mr. Sawyer introduced Heather Garceau. He recalled that a year ago, council approved a planning grant for VCDP to see what it would take to purchase the old Almond Blossom Schoolhouse. The City was awarded the grant and has been working on the architectural and engineering pieces. The City is asking for permission from council to go back to VCDP for an implementation grant to allow for Almond Blossoms to own the building and being able to expand it. The City is applying for \$500,000. Ms. Garceau stated that right now they are operating on the 1st floor. In order to move into the upstairs, they would need a sprinkler system and fire alarms and would need to turn some smaller rooms into larger

classrooms. The expansion would allow Almond Blossoms to move from a 30 child capacity to a 60 child capacity. They are also looking into providing daycare for families that work 2nd and 3rd shift. The grant would help to keep the costs low and allow families to get back to work. Mayor Smith asked Ms. Garceau how much of a wait list they have now. Ms. Garceau responded that they have 7 openings and a wait list for the younger ages and would be able to double the capacity for infants and 1 year olds if they can expand upstairs. Mr. Spooner asked if an elevator would have to be installed. Ms. Garceau responded negatively. She added that the downstairs is completely ADA compliant. Mr. Spooner asked how the drop off and pick up goes with limited space in the driveway. Ms. Garceau responded that they plan to remove the garage and will turn that space into a gravel parking lot. She explained that as of now, parking hasn't been an issue.

A motion was made by Alderman Spooner; seconded by Alderman Hawkins; to approve resolution for a grant application to Community Development Program. Vote was unanimous, 6-0.

6. Consider approval of extra-territorial water/wastewater allocation for Pizzagalli Properties' proposed USCIS facility on East side of Route 104, Bob Bouchard, Pizzagalli Properties (D&V). Mayor Smith recused himself. Bob Bouchard, Development Manager of Pizzagalli, introduced himself. He explained that they were solicited by the GIS and are proposing to create a 130,000 square foot general office building and 718 parking spaces. He recalled the former location which was sold to Elman Investors. Property on Fairfax Road at the top of Upper Welden Street has been secured and offers great access to the interstate as well as a very competitive price to the federal government. He proceeded to pass around the proposed site plan. Mr. Bouchard stated that they felt it was prudent to seek water and wastewater allocation from the City before moving forward. Mr. Spooner asked how long it would take to complete the project. Mr. Bouchard responded that it would take approximately 9 months.

Mr. Cloud asked Mr. Bouchard if he understood that this was part of the affiliation program and the affiliation fee is an annual fee in addition to the onetime fee of purchasing the allocation. Mr. Bouchard responded that he was not aware of that. Mr. Cloud gave Mr. Bouchard a background of the affiliation fee and stated that it would levy a fee of .28 per 100 of the appraised value.

A motion was made by Alderman Hawkins; seconded by Alderman Pelkey to approve extra-territorial water/wastewater allocation for Pizzagalli Properties' proposed USCIS facility on East side of Route 104 exclusively for the use as presented in the application, is not transferrable to another use without Council permission, expires in three years if not completed or extended, and allocation fees shall be either paid up front or with interest upon hookup. Mr. McCarthy asked if it would be closer to 2022 when the building is occupied. Mr. Bouchard responded that he envisions spring to mid-summer 2021. **Vote was unanimous, 5-0 with Mayor Smith abstaining.**

A motion was made by Alderman Hawkins; seconded by Alderman Pelkey to proceed to agenda item # 8. Vote was unanimous, 6-0.

7. City Manager's Report.

- a. Report on independent valuation of parking garage.

Mr. Cloud recalled that staff has gone through an arduous process with the State Auditor defending the City's TIF program. All of the issues raised were cleared by VEPC. The sole remaining issue was the value of the parking garage. The reports recommended an independent appraisal of the parking garage under the plause that it is taxable. The City accepted that recommendation and selected an independent firm, Applied Economic Research (AER). Mr. Cloud read aloud the following comments from AER: "I have considered the cost, sales comparison and income approached to value, ultimately relying on the income approach as the basis of the appraisal. In applying the income approach, I adjusted payments under the easements (management agreements), the other income

and the operating expenses to market rates. Simply put, the property does not and cannot generate enough income to offset its operation expenses, even before consideration of debt service and return on equity. It operates at a loss and therefore, the property is of nominal value. Mr. Cloud stated that he will forward this report to the State.

b. Consider approval of loan application for Aldis Hill Water Storage Tank Study (D&V).

Mr. Leitz explained that there's been discussion for some time to add a second storage tank at the Aldis Hill site. This is the planning stage to find out what it would cost. Mayor Smith asked if there is concern about the life span of the current tank. Mr. Manahan responded that it will be inspected at the end of the year, was inspected a couple of years ago and did some repairs based on that inspection. Mayor Smith asked how much land is at the site. Mr. Manahan responded that he doesn't know but there is enough for a tank. Mr. Cloud asked if there's a right of way. Mayor Smith stated that the City purchased one but has been hesitant to do anything so not to disrupt the close proximity to housing.

A motion was made by Alderman Hawkins; seconded by Alderman Pelkey to approve loan application for Aldis Hill Water Storage Tank Study in the amount of \$54,500. Vote was unanimous, 6-0.

c. Waste Disposal Program Update.

Mr. Cloud stated that the City is developing an application that the haulers will need to complete and will be notifying the haulers soon to register. The program will be rolled out January 1st. He stated that the stickers have also come in. Mayor Smith asked where the education piece will lie for the property owner and asked how the City will convey the message to the property owners. Mr. Cloud stated that he will give that some thought and believes the public education campaign could happen after the stickers are supplied with a delay on enforcement action for a period of time. He stated that it could also be sent as an insert with the water bills.

d. Request to bank the water and wastewater capacity assigned to Fonda (D&V).

Mr. Cloud stated that the City regularly allows landowners to bank Equivalent Units without spending the fees when there is a sizable amount of allocation. He is asking council to allow the same thing for Fonda.

A motion was made by Alderman McCarthy; seconded by Alderman Hawkins to approve request to bank the water and wastewater capacity assigned to Fonda. Vote was unanimous, 6-0.

8. Mayor's Report.

a. Candidates for City Boards:

i. Tanner McCuin for DRB (D&V)

ii. Ashley Cleare for Downtown Board (D&V).

A motion was made by Alderman Hawkins; seconded by Alderwoman Bessette to appoint Tanner McCuin to the DRB and Ashley Cleare to the Downtown Board for a term of 3 years. Vote was unanimous 6-0.

iii. Denise Smith for Planning Commission (D&V).

A motion was made by Alderman Hawkins; seconded by Alderman Spooner to appoint Denise Smith to the Planning Commission for a term of 3 years. Vote was unanimous 5-0 with Mayor Smith abstaining.

Mayor Smith stated that he's been asked a couple of times about an update on the master plan for Taylor Park. Mr. Sawyer stated that the last time they talked to council they got a blessing to focus on the grading of the walkways and lights. It's hard to know what the cost will be and will

likely need to put it out to bid and then move on to the scope and budgeting phase. With Congress and Main, Kingman Street streetscape and sidewalks, it's on the list but haven't been able to move forward with that next step yet. Mayor Smith asked if there is a designated funding source. Mr. Sawyer responded negatively. Mr. Cloud stated that that's the issue as staff has prioritized the projects that there is funding for. Mr. Cloud asked Mayor Smith if there were particular improvements in that plan that people want to see happen. Mayor Smith responded that it's been more of a general discussion. He noted the lack of lights on South Elm is still mentioned by residents. Mr. Manahan responded that Tony Conner has it on his schedule.

Mayor Smith stated that he sent a thank you email to Ernie Pomerleau for all the improvements at the shopping center. He continues to have the truck conversation as well.

Mr. Hawkins also thanked the Pomerleaus and noted the sidewalk that connects the corner by Planet Fitness and stated that it looks like something heavy was on it and cracked it. He stated it's probably where the sidewalk plow transitions on that sidewalk. Mr. Manahan responded that he will take a look at it.

9. Other Business.

Mr. McCarthy stated that he has a couple constituents that asked what the level of parking enforcement is. He stated that in speaking with the Chief, the City will be adopting an automated license plate reader and wondered if the merchants could meet to discuss the resources that the City has now that the parking garage is in place. He thought it might be a good time to review and discuss with merchants the issue of availability for parking in front of store fronts. Mr. McCarthy stated that he has been working with the railroad about the crossings on Nason Street. Mr. Manahan noted that they had a water break on Monday night and he suggested to the railroad representative that perhaps their resolve could be as quick as the City's. The contact at the railroad indicated to Mr. Manahan that they are working to resolve the issue by winter. Mr. McCarthy stated that he sent an email to Mr. Manahan about graffiti that a constituent pointed out and Public Works cleaned it up the following morning. He thanked them for the quick response.

Mayor Smith stated that a City resident who works at the passport center suggested keeping 2 designated parking spots specifically for the passport center since many of their clients are elderly. Mr. Pelkey asked if it's correct that at one time the parking in front of the passport agency was 30 minutes. Mr. Manahan responded that he believes it went back to 2 ½ hours after the passport agency came in. Mr. Spooner stated that that will be difficult because if one business wants a designated spot, others will want that and asked how you would know if it's really a patron of the passport agency using the spot. Mr. McCarthy suggested zone enforcement which would be a great way to treat everyone the same. Mr. Cloud stated that many of the other issues other than having a parking garage have been at a standstill. He added that one of the things the City has never had is an electronic license plate reader and encourages caution until staff sees how the enforcement tool works and believe it could be a game changer. Mr. Spooner asked why there wouldn't be 2 hour free parking in the parking garage to alleviate that problem. Mr. Cloud responded that he's not sure it makes a difference as the issue is convenience vs. money. Mayor Smith stated that he ran into Mr. Manahan twice on a Sunday and the crew was working on a water break. He commended the commitment of the Public Works crew. Mr. Manahan stated that they have a very cohesive group.

Mr. Pelkey stated that he's had some complaints from residents of Federal Street wondering when they're going to get their sidewalks. Mr. Sawyer responded that the Federal review process and VTRANS review process is lengthy and will be 2021 before it is complete. There will also be a funding issue. Mr. Pelkey stated that he had another constituent on Federal Street who stated that George Wood is storing

tires which were supposed to be blocked by a fence and have been piled so high that they are visible. Mr. Manahan stated that one of the issues they've heard consistently is that the sidewalks pool water in the low spots. Public Works is going to shave back the greenbelt and try and create some drainage in the meantime.

Ms. Bessette stated that there is a pot hole next to the little league field. There is also a tree on the greenbelt of 22 North Elm that needs to be trimmed. The neighbor at 18 North Elm asked if it could be trimmed because the resident can't see cars passing by when she's backing out of her driveway. A resident on Pearl Street has also expressed concern about the truck traffic on her street and is wondering if there is a weight limit. Mayor Smith stated that that goes to Mr. Spooner's point about doing a truck route mapping. Mayor Smith added that at the end of Walnut, you can't see the stop sign due to a tree obstructing it.

Mr. Spooner asked Mr. Manahan when the curb on the lower part of Upper Welden will connect to Main Street. Mr. Manahan responded that it will be done tomorrow. Mr. Spooner stated that the lights at Upper and Lower Newton are still not sensing vehicles stopped or not stopped. Mr. Manahan stated that he can have Tony Conner look at it. He also asked that the parking spaces on his street be painted narrower than they were before.

10. Warrants and Minutes

a. Minutes: Regular Mt. 8/12/19 (D&V).

A motion was made by Alderman Hawkins; seconded by Alderman Pelkey to approve 8/12/19 regular meeting minutes. Vote was unanimous, 6-0.

b. Warrants: 8/21/19 & 8/30/19 (D&V).

A motion was made by Alderman Hawkins; seconded by Alderman Pelkey to approve 8/21/19 warrants. Vote was unanimous, 6-0.

A motion was made by Alderman Hawkins; seconded by Alderman Pelkey to approve 8/30/19 warrants. Vote was unanimous, 6-0.

11. Adjourn

A motion was made by Alderman Spooner; seconded by Alderman Pelkey to adjourn meeting at 7:41 pm. Vote was unanimous, 6-0.

Respectfully Submitted,

Kristen Smith

Community Relations Coordinator