CITY OF VERGENNES VERMONT REGULAR MEETING of the CITY COUNCIL May 24, 2022

Meeting Held In-Person & via Zoom

- Mayor Mathew Chabot
- Alderman Dickie Austin
- Alderman Mel Hawley
- Alderwoman Jill Murray-Killon
- Alderwoman Zoe Kaslow (Zoom)
- Alderman Ian Huizenga
- Alderwoman Susan Rakowski
- City Manager Ron Redmond
- Britney Aube, City Clerk

1. Microphone Check

- 2. Call to Order. Mayor Mathew Chabot called the meeting to order at 5:30 p.m.
- 3. Pledge of Allegiance

4. Amendments to Agenda

- Alderman Austin requested the review and approval the Pear Ridge Production liquor license be added as an agenda item. This item was moved to the top of the agenda.
- -Alderman Hawley questioned the process for revising and approving the proposed zoning regulations. Alderman Hawley stated that he believed the City Council should hold a workshop to review the substantive and non-substantive to the Zoning changes as was suggested at the last meeting. He objected to items 7.f and 7.g having single stars. Alderman Hawley asked to go on record as rejecting the zoning review process.
- Mayor Chabot said given the short list of non-substantive issues, he believed the matter could be addressed at the regularly scheduled meeting. He stated that he did say at the 5/10/22 City Council meeting that non-substantive issues would be addressed in a special meeting. Upon review of the short list of non-substantive issues, he said he chose to address the non-substantive issues at the city council versus holding a special meeting.
- Alderman Austin proposed an amendment to item 7.g:

The City Council discussion on proposed amendments to the Zoning and Subdivision Regulations as amended for non-substantive changes from item 7.f, with two stars (possible decision) Rakowski seconded.

Agenda, with modifications, was approved unanimously.

5. Visitors None.

6. Approval of 5/10/22 minutes approved unanimously approved. Warrant for 5/24/22 approved unanimously.

7. Business

- **a. Liquor License for Pear Ridge Productions.** To rent the basement of Hired Hand, 35 Green Street, as a commercial kitchen solely for the purposes of a catering business. No service of liquor. Approved unanimously.
- b. Request for Approval of License to Operate a Taxi for Joseph Baker, Ferrisburgh*
 Requested insurance information by council at 5/10/22 meeting for Joseph Baker was provided by his employer, Ricky Loyer, Vergennes Taxi. Staff received background check from VPD. Mr. Loyer explained that for future reference, his insurance policy covers all of his drivers versus identifying specific drivers. Approved unanimously.
- **c.** Request to use City Green for the 2022 Vergennes Farmers Market. Christopher Reck. Discussed how Farmers Market will work to mitigate impact on City Green grass. Approved unanimously.
- d. **Request from the Vergennes Partnership to close off So. Maple Street** (between Main Street and the alley) for the 2022 Summer Sidewalk & Street Sale, during the hours of the sale only on both Saturday July 16 and Sunday, July 17, 2022* Approved unanimously.
- **e. Review of WWTF Project Update** *** **City** Manager Redmond and Jenny Auster, Hoyle Tanner project manager, presented an update on the Sewer and Collection System upgrade. Updated project cost analysis showed a projected increase versus what was presented to voters prior to the March 1 bond vote due to unprecedented inflationary increases.

Auster explained that following the March 1 bond vote was approved, the City received feedback from the State of Vermont DEC on the City's Long Term Control Plan, and asked that the City include to move three sewer segments from the 6-10 year completion period to the 0-5 year completion period. That in turn increased the total projected cost of the project from \$25.5 million to \$28.9 million. The cost of these 3 sewer segments was rolled into the USDA funding package.

Auster reviewed project funding to date: USDA – \$7 million grant; Army Corps grant is a percentage (versus a dollar amount) so that will be helpful if inflation continues to increase; Clean Water SRF or CWSRF is a subsidy provide by the State of Vermont that helps with covering a portion of our engineering services. \$6 million to help pay for the cost of the Macdonough Pump Station and Force Main (\$3 million ARPA grant from the State and \$3 million of Congressionally-directed spending via Senator Leahy). \$1.72 million of State of Vermont Pollution Control grant (estimates from VT DEC. Once project goes into construction these grants will be finalized). In good position versus funding other cities and towns have received to date -- \$17 million in grant funding and \$12 in low-interest 30-year loans.

	TPC (May 22)			Estimated	ENR Cost Construction Index		Projected ENR		Projected TPC						
Project		USDA RD/ACOE	CWSRF Subsidy	VTDEC ARPA	Leahy CDS	TDEC PC Gran	G	irants Total	Loan in ~2021 \$						
WWTF	\$ 17,175,000	\$ 7,085,600	\$ 375,600	-	-	\$ 1,436,800	\$	8,898,000	\$10,503,000	12237	Jul-21	14500	Nov-23	\$ 20	0,351,189
3 Sewer Segments	\$ 2,809,000		\$ 119,600	-	-	\$ 463,000	\$	582,600		12647	Nov-21	14000	May-23	\$:	3,109,512
MDPS	\$ 6,700,000	-	-	\$ 3,000,000	\$ 3,000,000	-	\$	6,000,000	\$700,000	12647	Nov-21	14750	Jan-24	\$	7,814,106
2 ACOE Sewer Segments	\$ 2,235,000	\$ 1,452,750	-	-	-	-	\$	1,452,750	\$782,250	12647	Nov-21	15500	Jan-25	\$:	2,739,187
	\$ 28,919,000						\$	16,933,350	\$11,985,250					\$ 34	,013,994

Reviewed timeline of when different projects will go out to bid. Cost estimates of the project will be updated when the projects go out to bid. (see chart below)

	2022				2023			2024				2025				2026				
1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	1	2	3	4	
			WWTF Design						WWTF Construction							One Year Warranty Period				
		3 Sewer Segment Design 3 Sewer Segment Construction					nstruction	One Year Warranty Period												
	MDPS & FM Study MDPS Design					MDPS & FM Construction								One Year Warranty Period						
	ACOE Pre-Design							ACOE Design					ACOE Construction			One Year Warranty Period				

Cost of Projects. Auster discussed how COVID-related pricing had been expected to stabilize; current inflation not anticipated. Cost estimates for the project, developed in 2021 are going to be different from what City finally pays. Auster explained how project pricing estimates are made using the Engineering News Record (ENR), which produces a construction cost index used by the engineering community. Based on this analysis, estimating that when the project finally goes out to bid, the project could potentially increase from \$28.9 million to \$34 million.

Council discussed messaging during the campaign that although voters approved a \$25.5 bond, City had communicated it projected about 50% of that \$25.5 million (\$12.25) would be covered by grants with the remaining half covered by long term, low interest loans. If the \$12.25 million covered by taxpayer increases, council discussed it may need to pursue another bond with taxpayers to cover the difference. No action taken.

Council discussed a potential additional \$4 million loan needed plus any possible increases (still unknown because of current inflation), and what the options are for additional funding would be. Auster provided these funding options:

- For Macdonough Pump Station/Force Main project, City could apply for a generally available Clean Water SRF Loan at 2% for 20 years.
- USDA RD could also be a source of additional funding once the \$10.5 million loan is closed outor the State of Vermont's Clean Water SRF program.

Auster offered other methods for extending completion of projects. Army Corps projects are not required to be completed in the first 5 years of program (\$800,000). Completion of three sewer segments could be stretched out to 2027 (\$2.8 million). No action taken.

DRAFT 5-YEAR BUDGET for City's Sewer Program was presented by City Manager Redmond. Council members offered additions and corrections to document presented by City Manager Redmond, which will be presented periodically to the council to keep members informed. Alderman Hawley requested specific review and changes of the document in numerous areas including delinquent penalties and fees, and individual line items in the 5-year budget which were not appropriately updated each year. No action taken.

e.FY 23 Budget Update: Administration. Presentation by City Clerk Aube and Manager Redmond included discussion of:

Annual Property Assessments: Discussed options with Council: a) Continue w/ Listers, a program
that is unsustainable in the long term. Most municipalities are struggling with finding and retaining
listers and making that system effective. b) NEMRC. Solid option but very expensive. c) share

Assessor with other municipalities. That option being explored and more information to be presented to council when available.

- Managing three elections: Primary: August, 2022; General Election: November, 2022; Annual Meeting: March, 2023
- Leveraging / enhancing office space for visitors: Increase public research space: a) Redesign counter
 to provide citizens w/ speedier, safer access; b) Upgrade printer features/scanning to color/higher
 volumes
- Selecting new audit firm. RFP out. Responses due 6/13/22 Board of Auditors to assist with selection process.
- NEMRC: Anticipate substantial reduction in usage in FY 23 (versus FY 22) with presence of new Treasurer, support from Admin. Asst.

Alderman Hawley pointed out that the FY 23 budget numbers were not correctly updated; amount stated for Assessor needs to be increased. Council members provided staff with suggestions, edits and additions. There was discussion about a shared assessor and that it was a better alternative. City is on the cloud and has its land records available on line. No action taken.

f. City Council review of non-substantive issues of final draft of the proposed amendments to the Zoning and Subdivision Regulations. *

Mayor Chabot reviewed his memo to council (in packet) and explained he had reviewed the draft minutes from the 5/10/22 council meeting which include, in detail, concerns raised by Alderman Hawley about the proposed amendments to the Zoning and Subdivision Regulations. He also spoke with Planning Commission Chair Haggett and Zoning Administrator Garon. Non-substantive issues were identified as:

ARTICLE V: PROCEDURES REQUIRING REVIEW BY DEVELOOPMENT REVIEW BOARD

- Section 505- Participation of Interested Persons
- The first paragraph in Section 505 should be moved to the Section 504.

ARTICLE X: PLANNED UNIT DEVELOPMENT

- Section 1006.D- General Standards, Density Bonuses
- Alderman Hawley noted that density bonuses were listed for disabilities, elderly low income, and workforce housing in the beginning of the section, but three sentences down, workforce housing" was left out of the listing.

ARTICLE XII: PARKING, LOADING AND DRIVEWAYS

- Section 1202 Off-Street Parking Requirements
- Alderman Hawley noted concern over the new parking requirements, noting that one parking space per unit for multi-family dwellings would not be enough generate enough parking. Should say "minimum."

ARTICLE XIII: SIGNS

- Section 1301 Permanent Sign Permit and Application
- 1301.1 belongs in definitions. Definition of temporary sign conflicts with 1302.

Alderman Hawley requested changes relative to definitions expressed in a 4/7/22 email to Chair of Planning Commission and Zoning Administrator.

- ACCESSORY DWELLING UNIT follow state statute as a distinct unit that is clearly subordinate to a single-family household dwelling and has facilities and provisions for independent living including sleeping, food preparation, and sanitation.
- DRIVE-THROUGH, add the word business. <u>BUSINESS</u>: A commercial establishment where one may obtain services through a window directly from their vehicle.
- SHORT-TERM RENTAL definition be stricken.
- SKETCH PLAN should read "<u>land</u> development" for clarity and consistency.

Alderwoman Rakowski made a motion that council accept these four non-substantive changes and incorporate them into the proposed amendments to the zoning and subdivision regulations.

Alderman Austin seconded

Mayor Chabot offered a friendly amendment to include the four requested changes relative to definitions, made by Alderman Hawley (based on his 4/7/22 email to Shannon Haggett and Peter Garon.

Alderwoman Rakowski and Alderman Austin accepted that friendly amendment.

Motion passed unanimously

g. City Council vote on proposed amendments to the Zoning and Subdivision Regulations. *

Alderwoman Rakowski made a motion to approve the Zoning and Subdivison Regulations as amended. Alderman Austin seconded. There was robust discussion by both Council members and community members attending meeting. Vote on motion: Yes: 6 No: 1 (Alderman Hawley)

Mayor Chabot thanked the community for their participation in developing the regulations and for the discussion at the meeting and asked that residents continue to send their feedback to the Planning Commission and to the Council about the Zoning and Subdivision Regulations.

8. City Manager Report

- Memo re: Police Citizen Review Board (CRB) Options for Implementation. Ed Adrian, Monaghan & Safar. Summary.
 - CRBEC recommended an ordinance that "included a provision requiring a vote by Vergennes
 residents to amend or abolish the ordinance." Vergennes residents do not have the power to
 amend or abolish ordinances. Reserved for the City Council. Doubtful that legislature would
 approve a charter change that included this language.
 - Quickest, simplest strategy is for Council to create an advisory body that could help facilitate communications from the public to either the city manager and/or police chief. The advisory committee would be subject to the Vermont Open Meetings Law (OML) and Vermont Public Records Act (PRA).
 - Vergennes Public Art Corridor Planning Forum at Vergennes Opera House, Thursday, June 2, 2022 at 6:00pm. Collaboration of Vergennes Partnership, City of Vergennes, ACRPC.

c. Watershed Recreation Reserve Fund Policy, per request from Council about potentially increasing the amount from the fund to support Recreation. Alderwoman Rakowski stated that the \$6,000 per year allocated to the Swimming Pool Fund is based on tradition and not policy.

9. Mayor's Report

- May 26 at 6 pm at Vermont Agency of Transportation and Addison County Regional Planning Commission hosting workshops re: the Planning and Environmental Linkages study alternatives to reduce truck traffic on Route 22A through Vergennes. Virtual meeting to be held June 1. www.vergennespel.com
- Congratulations to Vergennes resident Chris Therrien of Boy Scout Troop 539, Green Mountain Council, who has achieved Eagle Scout Status. He is a 2022 graduate of Vergennes High School, is headed for the Vermont National Guard in the Fall and is interested in a career in law enforcement.
- Reminder that Memorial Day is a time to remember all the men and women who have served, and their service continues to allow us to have meetings where many opinions can be expressed, freely.

Alderwoman Rakowski offered official congratulations to Alderwoman Kaslow on welcoming her baby boy.

10. Adjournment