

CITY OF VERGENNES, VERMONT  
REGULAR MEETING of the CITY COUNCIL

April 25, 2023

5:30 p.m.

**AGENDA**

Remote Meeting Via Zoom

Join by Computer: <https://zoom.us/j/561577976>

Join by Phone: Dial: 1 (312) 626-6799

Meeting ID: 561 577 976

Meeting Password: 1234

1. Microphone Check
2. Call to Order
3. Pledge of Allegiance
4. Amendments to Agenda
5. Visitors
6. Approval of Minutes (4/11/23) and Warrant\* (4/25/23)
7. Business
  - a) TIME CERTAIN: 5:45 PM. Public hearing on the proposed amendments to the zoning and subdivision regulations. \*
  - b) Request to approve a one-year license (from May 1, 2023, to April 30, 2024) First-Class Restaurant/Bar License for The Hill LLC d.b.a. Vergennes Laundry. \*
  - c) Request to approve a one-year license (from May 1, 2023, to April 30, 2024) Tobacco Substitute Endorsement for Community Market, LLC. \*
  - d) Request to appoint Rebecca Rey to the Board of Listers for a one-year term ending March 2024. \*
  - e) Request to appoint Shannon Haggett to a one-year term as the City's representative to the Addison County Communications Union District (Maple Broadband) from 5/1/23-4/30/24. \*
  - f) Presentation on Disc Golf at Falls Park. Justin Bassett and Paul Saylor \*\*\*
  - g) Request to allocate up to \$2,000 from the Watershed Fund for the purchase of baskets, signage, and tee pads for Disc Golf at Falls Park. \*
  - h) Presentation of Public Art Corridor Plan for Vergennes, funded by Municipal Planning Grant 07110-MP-2022-Vergennes C-38. Presenters: Katie Raycroft-Meyer, Addison County Regional Planning Commission; Julie Basol, Vergennes Partnership, Dawn Wagner, Daily Chocolate. \*\*
  - i) FY 24 Budget Discussion. \*\*\*
  - j) Presentation of staff process for managing requests for sewer tap on or reservations. \*\*\* City Staff.
8. City Manager Report
9. Mayor's Report
10. Adjournment
  - \*Decision Item
  - \*\*Possible Decision Item
  - \*\*\*Discussion Item

**VERGENNES CITY COUNCIL**  
**DRAFT Meeting Minutes**  
**Tuesday, APRIL 11, 2023**

COUNCIL MEMBERS/STAFF: Mayor Christopher Bearor, Deputy Mayor Dickie Austin, Alderman Cheryl Brinkman, Alderwoman Jill Murray-Killon, Alderwoman Zoe Kaslow, Alderwoman Sue Rakowski, Alderman Ian Huizenga, City Manager Ron Redmond, City Clerk Penny Austin, Treasurer Angela Bolduc, Recreation Coordinator Martha DeGraaf

- 1. Microphone Check:**
- 2. Call to Order:** 5:35 PM
- 3. Pledge of Allegiance**
- 4. Amendments to Agenda:** City Manager Redmond asked to have 7o. postponed until the next meeting. Deputy Mayor Austin amended to add the approval of the three public places to post the agenda and meeting notices for the City Council meetings (which Mayor Bearor placed in 7o.) and add the approval of an Entertainment license for Three Squares Café to the list in 7b.
- 5. Visitors:** Rick Chaput, WWTP Chief Operator, Chief of Police Jason Ouellette, Mark Koenig, Ed Adrian, Steve Rapoport, Jamie Dragon, Michael Daniels (Zoom)
- 6. a. Approval of Minutes (3/14/23 & 3/28/23):** Motion by Alderman Austin with second by Alderwoman Murray-Killon to accept both minutes as written. Vote: 7-0 Approved.  
**b. Approval of Warrants (4/11/23):** Motion by Alderman Austin with second by Alderwoman Kaslow. Vote: 6-0 with Mayor Bearor abstaining (One of the warrants was for the business where he works).
- 7. Business**
  - a. Request to appoint Adelaide Brooks, Tara Brooks, and Jamie Dragon to the Vergennes Parks & Recreation Committee for a one-year term, ending March 2024.** \* Motion to appoint made by Alderwoman Rakowski and seconded by Alderman Austin. Vote: 7-0 Approved.
  - b. Request for approval of one-year licenses (from May 1, 2023, to April 30, 2024) for the following businesses: \***
    - i. Vermont Wine Shoppe, LLC for second class liquor license and tobacco license.**
    - ii. Strong House Inn, Inc. for first class restaurant/bar liquor license and third-class restaurant/bar liquor license.**
    - iii. Midtown Pizzeria, LLC for first class restaurant/bar liquor license and outside consumption permit.**
    - iv. Community Market, LLC for second class liquor license and tobacco license.**
    - v. Three Squares Café, Inc. for first class restaurant/bar liquor license and outside consumption permit.**
    - vi. Fraternal Order of the Eagles, Addison County Area, for first class club liquor license, third class club liquor license and outside consumption permit.**
    - vii. Three Squares Café for an Entertainment license.**

Motion to approve the above licenses and permits made by Alderwoman Rakowski with second by Alderman Huizenga. Vote: 7-0 Approved.

- c. Request to approve policy for licensed eating and drinking establishments to use city parking spaces fronting their businesses, for seasonal expansion of dining capacity and outdoor**

**consumption, for a fee of \$1 per square foot, as approved by the Chief of Police and City Manager.** \* City Manager Redmond explained the thought process on this policy. It is considered an administrative fee for the use of the City right of way. Motion by Alderwoman Murray-Killon to establish a policy to rent parking spaces for outdoor seating for food and drink establishments, seconded by Alderwoman Rakowski. There was discussion as to if it is really a rental or an administrative fee. It was the consensus that it was really an administrative fee. Deputy Mayor Austin moved to amend the motion to read that the City Council adopt the policy as drafted by the City Manager with the added contingency that the policy be reviewed at the reorganization meeting next March seconded by Alderwoman Kaslow. Vote on Amendment 6-0 Approved with Alderman Huizenga abstaining. Vote on original motion was 6-0 Approved with Alderman Huizenga abstaining.

- d. Request for approval of agreement between the City of Vergennes & 35C LLC, d.b.a. Bar Antidote/Hired Hand, for the use of three vehicle parking spaces for seasonal expansion of dining capacity and outdoor consumption, from May 1, 2023, to November 30, 2023, for a fee of \$480, calculated at 480 square feet X \$1 per square foot.** \* It was noticed that the policy dates were May 1 to October 31 so Mayor Bearor changed the request to say May 1, 2023, to October 31, 2023. Alderwoman Brinkman moved to approve the agreement with Alderwoman Kaslow seconding. Deputy Mayor Austin asked if since we just established the policy, have the requirements for insurance and Police review of the site been done. Deputy Mayor Austin moved to amend the motion to state approval of agreement between the City of Vergennes & 35 LLC, d.b.a. Bar Antidote/Hired Hand, for the use of three vehicle parking spaces for seasonal expansion of dining capacity and outdoor consumption, from May 1, 2023, to November 30, 2023, for a fee of \$480, calculated at 480 square feet X \$1 per square foot pending meeting all of the requirements of the already established policy, seconded by Alderwoman Kaslow. Michael Daniels stated that he thought that the space left was too narrow and was not safe for travel through the street. He did not agree that the agreement should be accepted before he could speak to the Chief of Police. Vote on amendment was 6-0 approval with Alderman Huizenga abstaining. Vote on original motion was 6-0 approval with Alderman Huizenga abstaining.
- e. Request for approval of an outside consumption permit for 35C LLC, also known as Bar Antidote/Hired Hand, from May 1, 2023, to April 30, 2024.** \* Deputy Mayor Austin moved to approve the outside consumption permit for 35C LLC, also known as Bar Antidote/Hired Hand, from May 1, 2023, to April 30, 2024 expanding on their already approved outside seating consumption of their porch to include the new addition of the three parking spaces in front pending approval of their application in process with the new policy established ten minutes ago with Alderwoman Rakowski seconding. Vote 6-0 Approved with Alderman Huizenga abstaining.
- f. Request to approve 25-year lease agreement between the City of Vergennes and the Friends of the Vergennes Opera House, Inc. (FVOH)** \* The most substantive change is the addition of language of how the Opera House would be charging the City for when we used the space for ticketed events. The added language is [“For events and activities requested by the City Government and their Departments, where attendees are charged a fee or must purchase a ticket for participation, the TENANT \(FVOH\) agrees to charge the OWNER \(CITY\) a rate equal to or less than the lowest rate charged to other nonprofits for comparable activities/events and less than the rate charged to for-profit entities for comparable activities/events.](#) Deputy Mayor

Austin moved to approve to adopt the language in the lease as was proposed for the Friends of Vergennes Opera House, seconded by Alderwoman Kaslow. Vote 7-0 Approved.

- g. Request to authorize the city to apply for a Clean Water State Revolving Fund (CWSRF) Step II Planning Loan for Final Design Engineering Services for the Vergennes Wastewater Treatment Facility and authorize the City Manager as the designated City Representative for the CWSRF Planning Loan Application and execute associated engineering services agreement.** \* Jennie Auster explained where we are in this process and what money is needed when and, also when our grants/bonds kick in for items g through i. Motion by Alderwoman Brinkman to authorize the city to apply for a Clean Water State Revolving Fund (CWSRF) Step II Planning Loan for Final Design Engineering Services for the Vergennes Wastewater Treatment Facility and authorize the City Manager as the designated City Representative for the CWSRF Planning Loan Application and execute associated engineering services agreement, with a second by Deputy Mayor Austin. Vote: 7-0 Approved.
- h. Request to authorize the City to apply for a CWSRF Step II Planning Loan for the Vergennes North Main and Maple Sewer Final Design Engineering Services pending VTDEC approval and authorize the City Manager as the designated City Representative for the CWSRF Planning Loan Application and execute associated engineering services agreement.** \* Motion made by Deputy Mayor Austin to authorize the City to apply for a CWSRF Step II Planning Loan for the Vergennes North Main and Maple Sewer Final Design Engineering Services pending VTDEC approval and authorize the City Manager as the designated City Representative for the CWSRF Planning Loan Application and execute associated engineering services agreement, with second by Alderwoman Kaslow. Vote: 7-0 Approved.
- i. Request to authorize the City to apply for an amendment to the CWSRF Step I Planning loan for the Macdonough Drive Pump Station and Force Main Improvements Environmental Information Document and Funding Assistance pending VTDEC approval and execute associated amendment to the existing engineering services agreement.** \* Motion made by Alderwoman Kaslow to authorize the City to apply for an amendment to the CWSRF Step I Planning loan for the Macdonough Drive Pump Station and Force Main Improvements Environmental Information Document and Funding Assistance pending VTDEC approval and execute associated amendment to the existing engineering services agreement, with a second by Deputy Mayor Austin. Vote: 7-0 Approved.
- j. Request to approve proposed Sam Fishman Memorial Pool rates for 2023 season.** \* **Martha DeGraaf, Recreation Coordinator.** Martha presented 2022 and proposed 2023 rates and noted that the non-resident senior person season pass in 2022 was \$80, not \$65 as listed in the packet. She explained the reasons for the increase in non-resident rates. They researched what other municipalities have done and our pool needs some expensive repairs, and the Vergennes taxpayers would have to take on the burden of these expenses. Alderwoman Rakowski moved to approve the proposed Sam Fishman Memorial Pool rates for the 2023 season with Alderman Huizenga seconding. Vote: 7-0 Approved. Steve Rapoport asked if the repairs were needed, and will the pool still open in the middle of May. Martha explained that staff was doing everything in their control to get the pool opened. Vote: 7-0 Approved.
- k. Request to allocate up to \$34,050.25 of allocated but unused ARPA funds repairs and improvements to the Sam Fishman Memorial Pool in advance of the 2023 season.** \* Deputy Mayor Austin Motion to approve the allocation up to \$34, 050.25 of allocated but unused ARPA funds to fund repairs and improvements to the Sam Fisherman Memorial Pool in advance of the 2023 season with Alderwoman Murray-Killon seconding. Vote: 7-0 Approved.

- l. Request to authorize the City Manager to sign an agreement with RHR Smith & Company for creation of a fixed assets database and support and production of depreciation schedules for FY22, for an amount not to exceed \$15,000, and to fund that expense 50% from Administration Budget and 50% from the Infrastructure Investment Fund.** City Manager Redmond asked to change the expense to be taken 50% from FY23 Administration Budget and 50% from the Water Tower Fund. Motion by Alderwoman Brinkman to authorize the City Manager to sign an agreement with RHR Smith & Company for creation of a fixed assets database and support and production of depreciation schedules for FY22, for an amount not to exceed \$15,000, and to fund that expense 50% from FY23 Administration Budget and 50% from the Water Tower Fund, with second by Alderwoman Rakowski. Vote: 7-0 Approved.
- m. Update of City of Vergennes Police Department Internal Affairs Policy.** \*\* Deputy Mayor Austin moved to have the Vergennes City Council serve as the interim mechanism for civilian review until such time that the City works on establishing another group of civilians could take this charge over, with Alderman Huizenga seconding. Vote: 7-0 Approved. With the motion the council addresses the statutory requirement in 20 V.S.A. §2402 to have a mechanism in place for civilian review, pending the creation of the to-be-formed Community Engagement Committee
- n. Request to review and approve the proposed charge for the Community Engagement Committee and seek interested applicants.** \* It was decided that the city manager would seek interested people to submit letters of interest to the City Manager for review by the City Council. The City Manager will put out this request on Front Page Forum, Facebook, and the City Website.
- o. Request the approval of the three public places to post the agenda and meeting notices for the City Council meetings per the open meeting law requirements.** Alderwoman Brinkman moved to designate the three public places to post the agenda and meeting notices per the open meeting law requirements 1) outside City Offices, 2) the Vergennes Post Office, and 3) Maplefield's bulletin board, with a second by Alderwoman Kaslow. Vote: 7-0 Approved.
- p. Continued discussion re: possible fall, 2023 special election to seek voter approval for FVOH Lease; city reserve funds requiring voter approval (to be identified by RHR Smith); a bond to fund city's required match for its Salt Shed and for the Main Street Sidewalk Project between Macdonough Dr and Otter Creek bridge.** \*\*\* It was discussed that when we go to the voter's for the required match for the Salt Shed, we will need to also add the required match still needed for the Main Street Sidewalk Project as the price for this has increased. It was decided to have the Project Manager on Sidewalk Project come to talk to the Council as there was some concern that when the bridge is redone that some of the sidewalk would be ruined by the staging for all the equipment to do the bridge although that is not slated for 5-10 years from now.
- 8. City Manager Report-** Preliminary findings from Dubois & King re: the assessment of 50 Green Street Fire station is that although the building needs substantial improvements and upgrades, Dubois & King will recommend improving the building versus the need to build a new fire station. The City and Vergennes Partnership applied for a public art grant to rehabilitate the Tri Valley Transit bus stop and preliminarily received a \$15,000 grant from the Vermont Arts Council. More to report. Monaghan Safar will be assisting the city in rewriting the city Sewer Ordinance. City Manager reported that those interested in applying for the position of Fire Chief are to send a letter of interest to him by close of business day, Monday, April 24, and that he will present the outcome at the April 25 meeting.

9. **Council Member Reports-** Alderwoman Brinkman who is the chair of the Energy Committee talked about the Energy Fair slated for July 15<sup>th</sup> in the Park, and that they have applied for the \$4000 Capacity Grant that will help us with the Energy Fair. She is also on the Addison County Solid Waste Board, and she told us about a new Municipally Operated Drop-Off Facility planned to be built in New Haven that will eventually be a residential transfer station. This will be for all of Addison County. It will be on Campground Road. They will also take yard waste as well.
10. **Mayor's Report-** The Mayor reported that he will not be available on the 25<sup>th</sup> for the next meeting. It was also reported that Alderwomen Kaslow and Murray-Killon will not be available. The Mayor is also requesting Committee's write reports and post online. He would also like to keep the meetings to an hour and a half, if possible. Also, he asked that we support all of the kids doing sports this spring.
11. **Adjournment:** Deputy Mayor Austin motioned to adjourn. Alderwoman Murray-Killon second. Approved. Vote 7-0.

To: Chair, Ferrisburgh Planning Commission  
Chair, Panton Planning Commission  
Chair, Waltham Planning Commission  
Adam Lougee, Executive Director,  
Addison County Regional Planning Commission  
Agency of Commerce and Community Development  
Department of Housing and Community Affairs

From: Shannon Haggett, Vergennes Planning Commission, Chair

Date: March 14, 2023

Re: Report on the proposed amendments to the Vergennes Zoning and Subdivision  
Regulations

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### **Statement of Purpose**

The Vergennes City Council adopted the municipal development plan for the City of Vergennes on May 24, 2022. The purpose of the proposed amendments to the zoning and subdivision regulations is to bring them into conformance with the municipal development plan and make other minor amendments.

### **Findings**

The Planning Commission finds that the proposed amendments to the zoning and subdivision regulations conform with or furthers the goals and policies contained in the municipal development plan including the effect on the availability of affordable housing.

The Planning Commission finds that the proposed amendments to the zoning and subdivision regulations are compatible with the proposed future land uses and densities of the municipal plan.

The Planning Commission also finds that the proposed amendments to the zoning and subdivision regulations carry out, as applicable, any specific proposals for any planned community facilities.

Section 1603. Historic Neighborhood District “HN”**A. Definition/Purpose**

The purpose of the Historic Neighborhood District (HN) is to distinguish our city’s older neighborhoods and protect their historic value and integrity while permitting future residential development and redevelopment that is compatible with the existing historic character and development patterns of the area. Development and redevelopment shall uphold and respect the character-defining features and historic integrity of homes in this district including small lots, short setbacks and yard depths, and tree lined sidewalks. Commercial activity is not preferred in this district but may be considered as long as it fits within the character of the neighborhood and does not interfere with the quality of residential life in this district.

**B. Permitted Uses**

1. One-household Dwelling.
2. Two-household Dwelling.

**C. Conditional Uses**

1. Bed and Breakfast.
2. Boarding or Rooming House.
3. Child Care Facility.
4. Community Center.
5. Medical Services Facility.
6. Multiple-household Dwelling.
7. Nursing Home.
8. Professional Residence-Office.
9. Recreation, Outdoor.

The general and specific standards designated in § 803 and specified in these regulations shall be required for any proposed conditional use under this section. The permitted uses and those subject to conditional use review shall be subject to all standards and regulations set forth in § 1603.

**D. Dimensional Standards**

HN	One Household	Two Household	Multiple Household	Non-Residential Uses
Minimum lot size	<del>7,500</del> 7,000 sq. ft	3,750 sq. ft./unit	4,000 sq. ft./unit	10,000 sq. ft.
Lot frontage minimum	60 feet	60 feet	60 feet	60 feet
Lot depth minimum	99 feet (6 rods)	99 feet (6 rods)	99 feet (6 rods)	99 feet (6 rods)
Front yard minimum	0 feet	0 feet	0 feet	0 feet
Rear yard minimum	5 feet	5 feet	5 feet	5 feet



Side yard minimum	5 feet	5 feet	5 feet	5 feet
Coverage maximum	100%	100%	100%	100%
Building height maximum	35 feet	35 feet	35 feet	35 feet
Accessory structure height maximum	24 feet	24 feet	24 feet	24 feet

### **E. General Regulations**

Planned Unit Development (PUD) shall be required for multiple-household dwellings, except for conversion of existing one-household dwellings. Site plan review shall be required for all uses other than one-household and two-household dwellings. For flood hazard areas, see § 1615 of these regulations.

### **F. Specific Standards**

The following standards shall be applicable to all new construction, reconstruction, enlargement, exterior alterations, additions, demolition, major landscape and site work, or signage within the Historic Neighborhood District. These standards do not apply to interior alterations that do not affect the exterior of the structure, customary maintenance and repair that does not affect the design of the structure, and routine landscaping. These standards are intended to assist the Board, property owners, and developers with the preliminary planning, design, and evaluation of proposals and approval of projects. The “shall” and other similar definitive statements indicate mandatory requirements and offer no flexibility unless choices are provided within the statements themselves. All projects must include these mandatory requirements as described. However, statements that use the word “should” or “encourage” shall be applied, but with some flexibility in accordance with the municipal plan. Such statements indicate that the Board is open to design features that are equal to, or better than, those recommended - so long as the intent is satisfied. The applicant assumes the burden of proof to demonstrate how a proposed design meets the standards, and determination will be made by the Board.

1. A building or premises shall be utilized only for the uses permitted in this district. Buildings should not be converted from a residential to commercial use unless it fits within the character of the neighborhood and does not interfere with the quality of residential life in this district.

**From:** rebecca rey <rey@reyarch.com>

**Sent:** Friday, March 31, 2023 2:09 PM

**To:** Ron Redmond [manager@vergenne.org](mailto:manager@vergenne.org)

**Subject:** Board of Listers

Good Afternoon Ron,

I'm sending this email as a formal statement of interest in serving on the Board of Listers for one term. Please advise as to anything further I need to provide or do to move forward.

Best regards,  
Rebecca Rey  
300 Main Street  
Vergennes VT

--

**rey**

rebecca rey  
she/her  
802.338.1083  
[reyarch.com](http://reyarch.com)  
[rey@reyarch.com](mailto:rey@reyarch.com)



### **VERGENNES “ON THE FALLS” DISC GOLF COURSE PROPOSAL**

Information for the Vergennes City Council for the creation/building of the Falls Park Disc Golf Course

#### **Objective**

- We are hoping to build a 9- hole disc golf course at Falls Park. This course will be free to play.
- The concept and reason for building the course is to bring more people to Falls Park which would help make the park a safer place for all, bring foot traffic to local businesses (ie. - restaurants, shops and cafes after playing) and help build community with visitors coming to Vergennes.

#### **Design and Build Out**

- We have been working with the Vergennes recreation committee throughout our design/planning phases.
- We have done extensive research on other local 9 hole courses to design a course that is challenging and unobtrusive to the non-player.

### **Community Impact**

- We have designed the course to have zero impact on the pollinator section, not to interfere with pedestrians, to stay away from the river, and have minimal incursions into the wastewater plant.
- We plan to install the course with volunteers and will work with the Public Works dept to ensure that their maintenance will not increase due to the course. Our coursework will also beautify the surroundings by removing invasive plants, dead brush and fallen branches.
- The presence of a disc golf course will bring more traffic to the park discouraging illegal behavior and vandalism. More people in the park will make it a safer environment and will in turn attract more visitors.

### **Course Maintenance**

- We plan to maintain the course year round through volunteer work. We will use any equipment that the Public Works can offer or personal items.

### **GMP approval**

- We have met with GMP to ensure that we follow any guidelines/concerns that they would have. The rep we met from GMP was quite agreeable to our design. The course would not interfere with GMP's main concern which is clear access to their utility poles.

### **Cost**

- Vergennes Union High School is donating 4 baskets for this course to help defer the cost of the baskets.
- Ideally, we are seeking the city to fund the purchase of the remaining baskets. As part of that one time expense, we would use any extra funds to invest in quality signage and/or tee pads. We are requesting the initial one time expense to be \$3000.

Photos are of possible signage provided by the Milton Recreation Dept.



# HOLE 18

MILTON DISC GOLF  
EAGLE COURSE

PAR 3

INTERMEDIATE

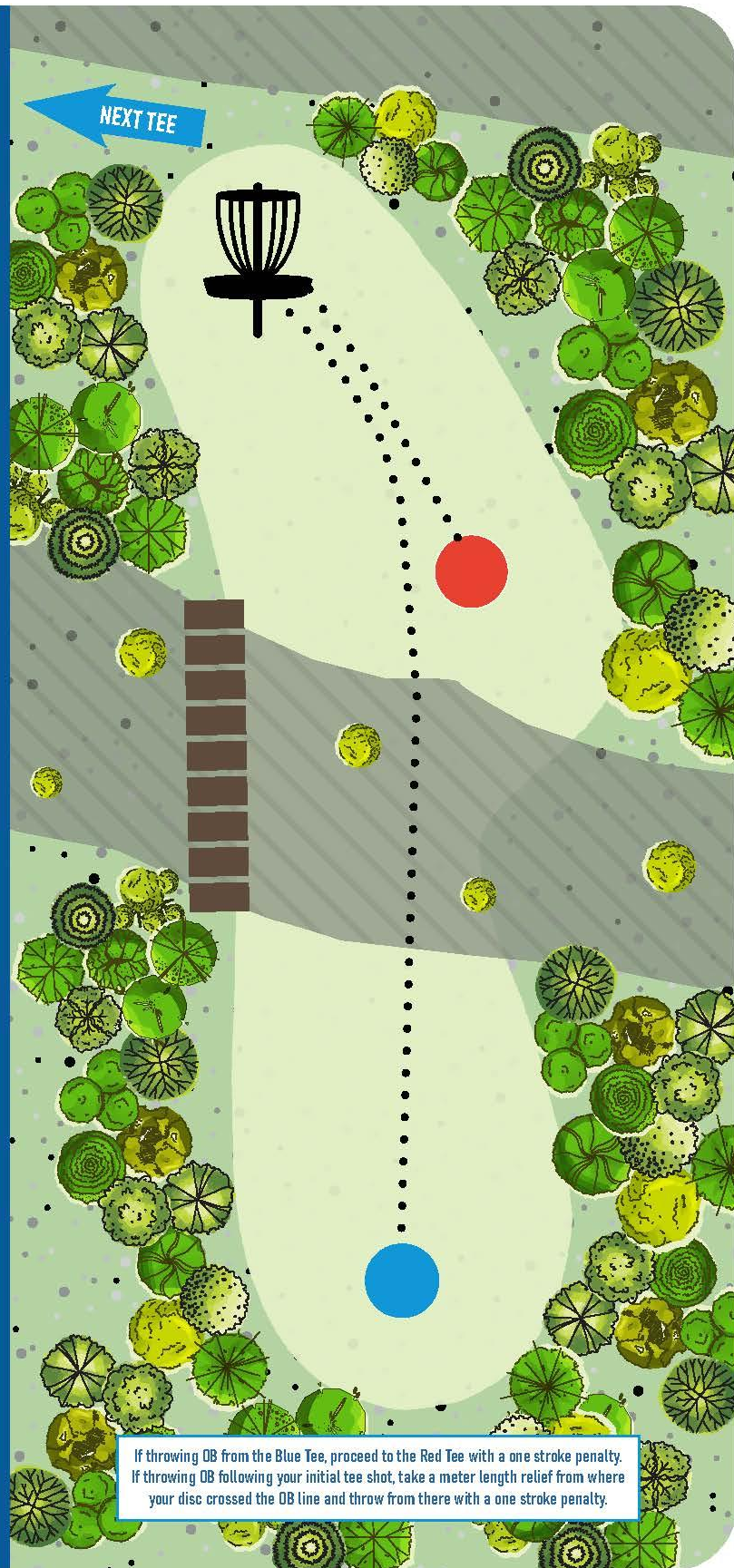
355 FT  
108 M

BEGINNER

170 FT  
52 M



Milton Recreation  
802-893-6655  
miltonvt.gov



If throwing OB from the Blue Tee, proceed to the Red Tee with a one stroke penalty.  
If throwing OB following your initial tee shot, take a meter length relief from where  
your disc crossed the OB line and throw from there with a one stroke penalty.



# HOLE 12

MILTON DISC GOLF  
EAGLE COURSE

PAR 3

INTERMEDIATE

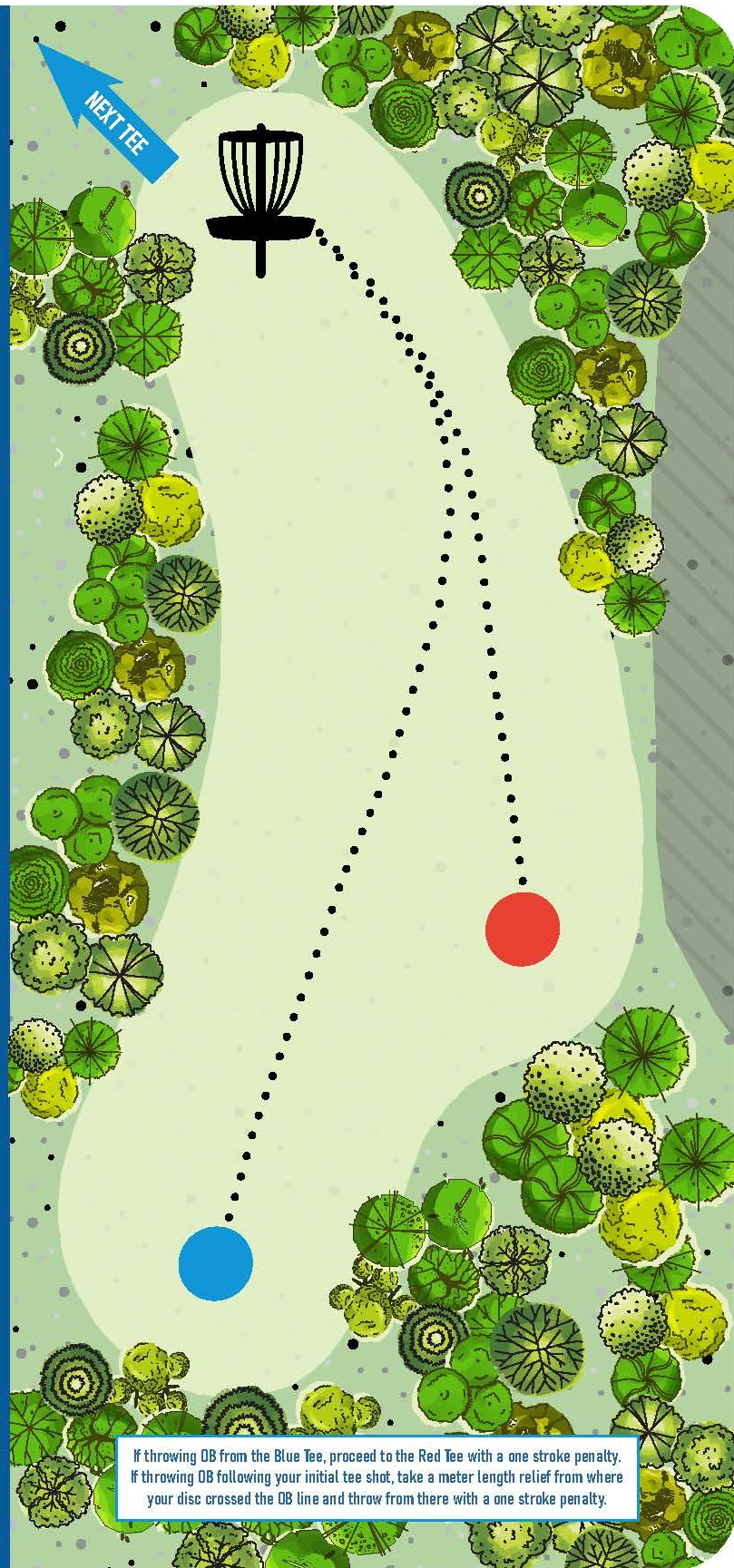
186<sup>FT</sup>  
57<sup>M</sup>

BEGINNER

108<sup>FT</sup>  
33<sup>M</sup>



Milton Recreation  
802-893-6655  
miltonvt.gov



If throwing OB from the Blue Tee, proceed to the Red Tee with a one stroke penalty.  
If throwing OB following your initial tee shot, take a meter length relief from where your disc crossed the OB line and throw from there with a one stroke penalty.



# Falls Park Disc Golf Course

## Legend

Disc Golf Hole



We received the following picture from the parties interested in putting together a Frisbee Golf course at Falls Park, which seems to show their proposed course (apologies for the low quality photo):





THE CITY OF VERGENNES

# Public Art Corridor Master Plan



*Illustration by Dawn Wagner*

This project was funded by a Department of Housing and Community Development 2022 Municipal Planning Grant

# Contents

CHAPTER 1 :	<b>Introduction</b> Concept Project Goals
CHAPTER 2:	<b>Community Outreach</b> Survey Community Discussion
CHAPTER 3:	<b>Vergennes Public Art Corridor Master Plan</b> A Vision for Public Art Potential Locations for Public Art Public Art Corridor Commission Community Partners
CHAPTER 4:	<b>Pilot Project</b> Green Street Bus Shelter
CHAPTER 5:	<b>Priority Action Plan</b>
CHAPTER 6:	<b>Administrative Guides</b>



# 1. Introduction

Public art is a component of a vibrant, livable community. Investment in public art benefits our economy, culture, and community. Public art aesthetically enhances the public realm and artists working with neighboring residents strengthens social cohesion. Public art can be temporary or permanent, visual or performance-oriented, require significant financial resources or repurpose materials at no cost.



## Concept

The City of Vergennes wants to develop a program to integrate public art into the fabric of its city. Both the 2020 municipal plan and the 2016 Basin master plan have supported this concept, citing goals, policies and recommendations for incorporating public art into the open spaces and public infrastructure.

- **Goal § 2.3.C - Promote tourist attractions, festivals, and local arts.**
- **Policy for the Northern Gateway District - Development of visual and physical, functional and aesthetic enhancements that link, unify, welcome, and define this area as a gateway should be considered.**
- **Recommendation § 3.1.11 – Parks and Recreation: Install Permanent and/or Temporary Public Art in the Downtown and Basin (This item is also Recommendation #2.9 of the Vergennes Downtown-Basin Master Plan)**

The concept proposed for the 2022 Municipal Planning Grant (MPG) was to look beyond individual art projects and develop an accessible and equitable public art system intended to enrich cultural, educational and economic opportunities in Vergennes. The idea of a Public Art Corridor, along Rt 22a/ Main Street was developed. Public art could welcome people to the City, enhancing vehicular, bicycle and pedestrian connections from Route 7 to the historic city center, shops, offices, neighborhoods and cultural institutions. Public art could function as gateways, wayfinding, destinations, experiences and performances throughout the corridor.

The following project goals, initially set forth in the grant application, were expanded on throughout a public outreach process and will serve as guidelines to navigate the selection, funding and realization of the Vergennes Public Arts Corridor.



## Project Goals

- Create a stronger sense of place for Vergennes.
- Bring new vibrancy to public spaces/ increase accessible and engaging public spaces, where citizens and visitors alike will encounter works of public art that will surprise and delight them.
- Celebrate the diversity and history of our community, through public art, while pointing to the city's identity, character and aspirations for the future.
- Create opportunities for local and emerging artists.
- Support community, collaborative and inclusive projects where all residents (children, students, elders, BIPOC, disabled) can participate, learn and connect with our community.
- Celebrate Otter Creek and raise awareness of the importance of this and all our natural resources.
- Strengthen pedestrian connections throughout the city, specifically between the historic downtown and Route 7.
- Employ art to support brick and mortar retail and dining, supporting economic development.
- Increase opportunities for public art supported by public-private partnerships and donations.

## 2. Community Outreach

The mission of this project is to create a system/ network of public art that is unique to Vergennes as a physical place and community, reflective of the spirit/ heart of Vergennes. To achieve this the process needed to engage the public at multiple levels and through many channels in order to be inclusive and represent the concerns, and interests of all community members. In the Spring of 2022, an 'Art Poster' was distributed throughout the City of Vergennes announcing the Public Art Project and inviting people to a public discussion. The poster included a link to the [Vergennes Partnership website](#), where there was a project description and short **survey**. About thirty plus individuals responded to the survey.



**Public art exploration at the Vergennes Opera House**

## Survey

The survey asked three basic questions.

- Where do you think would be a good place(s)/ location(s) to see/experience art in Vergennes?
- What themes would you like to see represented in the public art in Vermont?  
Ex. Vermont history, ecology, community, etc.
- Do you have a favorite public art piece(s) or artist(s) that you find inspiring that you'd like to share? [Link](#)  
**Survey responses here or table**

## Community Discussion

The Community Discussion, held at the Vergennes Opera House on Thursday, June 2, 2022, was structured as an informal open house, family friendly with refreshments. The Steering Committee introduced the concept of the project and displayed a wide range of existing public art examples, including **murals, sculpture, performance and site-specific works** in order to illustrate the broad scope of possibilities. Several Vermont projects, funded by the Vermont Council of the Arts, were presented as examples of community driven work collaborating with local artists. **Link PP here.** The presentation concluded by posing the question, "Why bring public art to Vergennes? ", and answered with project scenarios and how they could enrich and transform the City of Vergennes.

Attendees were then asked to identify locations, themes, materials, forms and artists that they would like to see as part of this project. A large aerial map of the city was provided for this purpose, as well as post-its, markers and many illustrations of existing public art projects. In an effort to inspire creativity and keep possibilities open, future sites were not restricted to public or city owned locations.

**Following is a list of locations suggested for the different art types discussed at this event.**



### Murals

185 Main Street, 272 Main Street, 7 Green Street, Kennedy Brothers, blank walls along northern section of Main Street, buildings along railroad, Vt Discount Store, Mason's building, Old recycling building, JD Ryan storage barn, Train Station/ Park and Ride, Big Barn Furniture, pool building, railroad underpass, skate park, silos, water tower, alleyway walls, Macdonough Park stairs, crosswalks.



## **Performance**

City Green, City Pool, Green St. parking lot, Kennedy Brothers, MacDonough Park, The Pavilion, Otter Creek Basin, Big Barn Furniture lawn, In the Streets, Bixby Library, The Falls, throughout Vergennes, Train Station, Vergennes Opera House, Vergennes Elementary and High Schools.



## **Sculpture**

American Legion, City Green, Corner of Rt 7 and 22A, Bixby Library, Falls Park, Main Street, Otter Creek Basin, Outdoor Classrooms, Kennedy Brothers, Pump House, Rt.7 Solar Field, Rt.7 and New Haven Road, Vergennes Elementary and High Schools, Shops and Restaurants, Vergennes Animal Hospital lawn, King and Green Street, Police Station, Collins Aerospace, Pollinator Park, Forbidden Space along 22A (north-west side).



## **Site- Specific**

Shade Roller Building, Otter Creek Basin, The Bridge, The Pavilion, Skate Park, City Green-Farmer's Market, VUHS Ropes Course, The Falls, Veterans Park, Otter Creek, Walking Trails, Pedestrian Loop near Senior Housing, High Street/ Comfort Hill, Water Street Neighborhood.





## **Project Themes**

Below is a broad categorization of themes suggested for public art generated during the community outreach process. Listed under each category is a sampling of topics. A full list can be found on the Vergennes Downtown Partnership website.

### **Recognize and celebrate the natural, historical and cultural significance of Otter Creek environs**

- Abenaki/ Native Peoples
- Hydro powered art
- Ecology of the area (Otter Creek)
- Building and foundation remnants
- The Falls
- The Island

### **Social topics/ messages to pursue**

- Art for and/or created by the underserved and underrepresented in our community
- Climate change
- Joy/Playfulness
- Accessibility to art

### **Celebrate historic, iconic, recognizable sites**

- Water Tower
- All Parks
- Collins Aerospace
- Shade Roller building
- Pump house
- Silos
- The Falls

**Aerial map of Vergennes with public art themes, locations and type suggestions in post-its.**



### 3. Vergennes Public Art Corridor Master Plan

From the beginning of the project, it was clear that a road map or master plan would be needed. This master plan will propose where public art should be located and what type of art is best suited for these sites. Questions, such as, should the City of Vergennes own the art works, could there be privately owned art on privately owned land and how should the artist selection process work, will be considered by a **Public Art Corridor Commission**.

#### A Vision for Public Art

Many concepts for public art were communicated through the survey, public events and conversations with community partners. These concepts helped inform a vision for the project.

Below are the three components of this vision.



**City Image:** Art themes that overlap with city design and open spaces, strengthen the visual and physical connectivity in the city, identify gateways and animate infrastructure.

Ex. ***Painted Crosswalks***

Imagined on Main and Green Street intersection



**City Spirit + Community:** Art that is community focused, participatory, cultural, environmental and playful. Projects that reflect the spirit of the residents and Vergennes.

Ex. ***“Maybe Something Beautiful”***

by Rafael Lopez, as imagined on Lulus



**Temporary/ changing/ visiting art:** Temporary public art installations or performances. Special and seasonal events, community projects, pop-ups or guerilla art. Changing art events that constantly refresh the experience of the city.

Ex. ***“Bees & Friends”***

Ballet Vermont, as imagined in Macdonough Park



## Potential Locations for Public Art

Locations for public art indicated in this master plan relate to the visual and physical character of Vergennes. The plan organizes these locations into three categories.

- Sites that will create **pedestrian connections**.
- Sites that mark important **arrival points or destinations** in the city, YOU ARE HERE!
- Sites located in Vergennes **parks and open spaces**.

A conceptual map for the Public Art Corridor, illustrating the vision, potential locations, types of the future art work was developed as a blueprint for this project. This map, along with the **Priority Action Plan** will guide the implementation process for the Public Art Corridor. The map should be viewed as a living document, generated by community driven concepts, and with the potential to evolve as the Public Art Corridor becomes a reality.

## Public Art Corridor Commission

The successful implementation of Vergennes Public Arts Corridor will require collaboration between many partners in the community. Guiding the selection and implementation of art for this project will be a Public Art Commission appointed by the City Council. This group will be tasked with furthering the goals generated from the outreach process and outlined in this master plan. Members will be selected for their diverse backgrounds and interest in improving public places and spaces through art. This volunteer group will include, but is not limited to, city staff, Vergennes Partnership, educators, local artists, business owners and community members. Potential committee members will be enthusiastic advocates for growing the presence of art in public spaces. The Public Art Corridor Commission, nominated by the Steering Committee and appointed by the City Council, will work closely with the Vergennes City Council and the Partnership as well as various Community Partners.

## Community Partners

Vergennes Downtown Partnership

Local Schools

Bixby Memorial Free Library

Vergennes Recreation Department

Boys and Girls Club of Greater Vergennes

Artist Community, Galleries

Vergennes Planning Commission

## 4. Pilot project

### Green Street Bus Shelter

As the operational aspects of this project and program are being finalized, the project steering committee has pursued several pilot projects intended to inspire and excite the Vergennes Community. In the Spring of 2023, Vergennes Downtown Partnership applied for and received an Animating Infrastructure grant from Vermont Council of the Arts to transform the Green Street Tri Valley Transit (TVT) bus shelter into a work of public art.

With the many ideas generated from the Art Corridor's public forum, the Green Street bus shuttle site was chosen as our first endeavor, not only because of its high visibility in our downtown but it created the opportunity to promote the use of public transportation as a safe, reliable, accessible and affordable means of transportation for all regardless of one's socioeconomic status. This project met the criteria of the animating infrastructure, turning an old bus shelter into a vibrant work of art. Pumping color and life into the landscape will further brand our downtown as a destination for shopping, dining, services and visual enticement.



## 5. Priority Action Plan

- Do It Now
- Do It Next
- Do It Later

The following actions are derived from national best practices in public art planning. The goals are broken down into tiers, as many of the long-term actions are only achievable if the initial, short-term actions are implemented. These plan actions should be carefully considered and implemented with the proper partners.

### SHORT-TERM ACTIONS (1-2 YEARS)

1. Adopt the Vergennes Public Art Corridor Ordinance.
2. Identify an existing staff person within the City of Vergennes to be the liaison to the Public Art Corridor Commission. In order to maximize the effectiveness of the Public Art Corridor Program, it is necessary to dedicate staffing resources.
3. Seat the Vergennes Public Art Corridor Commission.
4. Develop a Public Art Work Plan.
5. Prioritize easily implementable projects and programming such as temporary art, pop-up art, and/or murals. (Pilot Projects: bus shelter, Silo, crosswalks).
6. Adopt a Vergennes Public Art Maintenance and Management Policy.
7. Adopt a Vergennes Public Art Donation Policy.

### MEDIUM TERM ACTIONS (3-5 YEARS)

1. Establish a Public Art Corridor Fund.
2. Utilize Public Art Corridor Program funds to leverage and provide matching monies for grant opportunities from local, state, and national organizations. Target grants to strategic place making endeavors or programmatic actions that implement the project goals.
3. Purchase or commission art through collaborations between arts and non-arts partners.
4. Collaborate with the City of Vergennes, business associations, local schools, and other stakeholders to create a unified marketing plan for Vergennes as a creative destination that cares about the arts.

5. Collaborate with local schools to create school programming that utilizes and features public artists.
6. Develop a list of qualified artists. This list should include artists that are well-oriented to the Vergennes Public Arts Program that can be provided to developers, individuals, and businesses in the event they are interested in procuring or commissioning a piece of public art.
7. Create a volunteer program to engage non-artists to assist with events or artist installations.
8. Prioritize more expensive or difficult-to-implement projects and programming such as sculptures, gateway pieces, and functional art that require a larger pool of dedicated funding.

## LONG TERM ACTIONS (5+ YEARS)

1. Explore additional funding mechanisms for larger public art installations.
2. Update the Public Art Master Plan in 3 to 5 years to respond to opportunities and challenges as the program grows. This can be done internally by the Commission or city staff.
3. Collaborate with local, national, and international museums, galleries, and collections to do innovative exhibitions throughout Vergennes.
4. Create public art projects and programming with nontraditional partners. Potential collaborators include health care facilities, rehabilitation and senior centers, disability-focused organizations, and more.
5. Yearly Surveys. Send out yearly digital surveys to stakeholders and through social media and mailing lists to garner feedback on the Public Art Corridor Program and its impact.
6. Create partnerships with the local school system to ensure public art and educational opportunities for students and artists.
7. Prioritize the most expensive or difficult to implement projects and programming such as monumental sculptural pieces and multi-piece installations.

## 6. Administrative Guide

### VERGENNES CITY COUNCIL

The Vergennes City Council will adopt Ordinance \_\_\_\_\_ establishing the Vergennes Public Art Corridor Program. As the community's elected officials, council members are ultimately responsible for the outcomes of the Public Art Corridor Program.

#### **The Vergennes City Council has the following responsibilities:**

1. Review and approve the Public Art Corridor Master Plan.
2. Review and approve the annual Public Art Corridor Work Plan.
3. Make appointments to the Public Art Corridor Commission.

### VERGENNES PUBLIC ART CORRIDOR COMMISSION

The Vergennes City Council appoints the Public Art Corridor Commission (The Commission). This group shall have seven members, each of whom shall serve a two-year term. The City Manager shall serve as an ex officio member of the Commission, but shall not vote on any matter before the Commission. It is recommended that the Commission include at least one artist and at least one member from the professions of architecture, landscape architecture, urban planning, arts administration, or art history. Terms on the Commission are for two years, and members may serve two terms.

#### **The Public Art Corridor Commission has the following responsibilities:**

1. Act principally in an advisory capacity to Vergennes staff and the City Council in any matter pertaining to art.
2. Present an annual report of Public Art Corridor Commission Activities.
3. Advise and make recommendations to City Council pertaining to the execution of the Public Art Corridor Master Plan.
4. Advise and make recommendations to the City Council pertaining to, among other things, policies and procedures as identified in the public art master plan; artist selection juries and process; commission and placement of artworks; and maintenance and removal of artworks.

## FUNDING & USE OF FUNDS

### Uses of Funds

#### **The public art funds may be spent for:**

1. Artist fees including travel and expenses related to travel.
2. Artwork fabrication and installation.
3. Acquisition of existing works of art.
4. Required permits and insurance during the fabrication and installation of the artwork.
5. Curators and contracted services.

#### **The public art funds may not be spent for:**

1. Mass produced work, with the exception of limited editions controlled by the artist.
2. Artwork not produced or designed by a Commission-approved artist.
3. Directional or other strictly functional elements such as supergraphics, signage, color coding, maps, etc. that do not contain elements of artistic design or quality.
4. Decorative, ornamental or functional elements that are designed by the architect or other designer.
5. Necessary site preparation such as wall or ground preparation to receive the works of art, including standard lighting and structural footings.
6. Any decorative or landscape elements peripheral to the artworks themselves and any services such as water, electricity, or lighting that are needed to activate the artwork.
7. Reproductions of original works of art. Included, however, may be limited editions, controlled by the artist, of original prints, cast sculpture, photographs, etc.

### Fund Management

All monies appropriated for the Vergennes Public Art Corridor Program are transferred into a special, interest-bearing public art project account (Public Art Fund), which is maintained in a separate project fund. As a project account, any funds not expended at the conclusion of the fiscal year will roll over into the following fiscal year. As part of the account, a separate category will be established for the ongoing conservation of artwork. The City may also utilize this fund to accept gifts, grants and donations made for the public art program.

## What is a Public Art Work Plan?

The Public Art Work Plan is an annual document that outlines what projects will be initiated in the coming fiscal year, as well as projects that will be in process during that fiscal year. The Public Art Corridor Commission will develop the Plan in consultation with the City and will submit it to City Council as part of the Fiscal Year Budget for its review and approval.

### **The following steps will be taken to develop the Public Art Work Plan:**

- Develop a draft Public Art Work Plan that will include locations, goals, and budgets for public art projects and programs.
- Determine availability of funds.
- Identify projects to be paid for by identified funding.
- Present the Plan to the City Council as part of the City budget approval.

## PROCESS FOR SELECTING AN ARTIST OR ARTIST TEAM

Selecting the artist is one of the most important steps in commissioning public art. An open, competitive process that inspires the artist and engages the community can be an enriching experience and lead to more creative and exciting public art.

### **Goals of the Selection Process**

1. To satisfy the goals of the project site through an appropriate artist selection.
2. To further the mission and goals of the Public Art Program.
3. To select an artist or artists whose existing public artworks or past collaborative design efforts have demonstrated a level of quality and integrity, or to encourage emerging local and regional artists to experiment in a safe environment.
4. To identify an approach to public art that is suitable to the goals and demands of the particular project.
5. To select an artist or artists who will best respond to the distinctive characteristics of the site and the community it serves.
6. To select an artist or artists who can work successfully as members of an overall project design team.
7. To ensure that the selection process represents and considers the interests of all parties concerned, including the public.



## ARTIST SELECTION METHODS

### **Open Competition**

In an Open Competition, any artist may submit their qualifications or proposal, subject to any requirements established by the Public Arts Commission and based on the Goals of the Master Plan. The Requests for Qualifications (RFQs) or Requests for Proposals (RFPs) should be sufficiently detailed to permit artists to determine whether their art is appropriate for consideration. Open competition allows for the broadest range of possibilities for a site and brings in new, otherwise unknown, and emerging artists.

### **Limited or Invitational Competition**

In a Limited Competition, or Invitational, several pre-selected artists are invited by the Commission to submit their qualifications and/or proposals. This method may be appropriate when the Public Art Corridor Commission is looking for a small group of experienced artists, when there is a limited time frame, or if the project requirements are so specialized that only a limited number of already identified artists would be eligible. It is possible that this list of artists would come from a pre-qualified list.

### **Direct Selection**

On occasion, artists may be chosen directly by the Commission. Direct selection may be useful on projects where an urgent timeline, low budget, or very specific project requirements exist. It is possible that this artist would come from a pre-qualified list. Approval of City Council and the City Purchasing Agent must be secured to utilize this selection method.

### **Direct Purchase**

Some projects require the purchase of a specific artwork due to the exacting nature of the project or a very limited project timeline. In this case, the work must be “one-of-a-kind” and not mass-produced or off the shelf. It is possible that this artwork would come from an artist on a pre-qualified list. Approval of City Council and the City Purchasing Agent must be secured to utilize this selection method.



## **Pre-Qualified Artist Lists**

The Public Art Corridor Commission may decide to develop a pre-qualified pool of artists from which it can choose artists for Limited Competition, Direct Selection and Direct Purchase. This pool would be developed based on a comprehensive review of artist qualifications. This list could be updated annually or bi-annually, depending on the frequency of new projects.

## **PROJECT IMPLEMENTATION PROCESS**

Upon the decision of the Commission, the Public Art Manager (Julie), will work with the City Manager to prepare a contract that includes the scope of work, fee, schedule, and relevant terms and conditions.

Contracts will be presented to the City Council for their approval prior to the issuance of the contract. For some projects, the contract with the artist may be phased to include two scopes of work with separate pay schedules and deliverables. The first phase would include all design documentation, including final design, stamped engineering drawings, installation details, and a revised fabrication budget and timeline. The second phase would include all costs related to fabrication and installation.

The Public Art Manager will ensure all documents are signed and insurance coverage secured before issuing a notice to proceed. The Public Art Manager will be responsible for coordinating the work of the artist to ensure the successful integration of the artwork into the project and will organize a meeting with all relevant staff to review roles, responsibilities and schedule.

If specified in the contract, the artist will produce design development drawings for review and approval from the Public Art Corridor Commission and the City before proceeding with fabrication. The Public Art Manager will schedule meetings with the appropriate offices to review and approve the plans.

If the artist proposes any significant design changes, the Public Arts Manager will secure the approval of the Public Art Corridor Commission and the City before approving said changes in writing, per the terms and conditions of the contract.

If the parties are not in agreement, the City Manager will act as arbiter. If the change will affect the budget, scope or schedule, the Public Arts Manager will initiate a contract modification, if funds are available to do so.

The Public Arts Manager will be responsible for overseeing the installation of the artwork and ensuring that all the necessary requirements have been completed prior to interim and final invoice payments to the artist.

**Sent:** Friday, April 7, 2023 3:26 PM  
**To:** Ron Redmond <[manager@vergennes.org](mailto:manager@vergennes.org)>  
**Cc:** Jeff LaBossiere <[jlabbossiere@vlct.org](mailto:jlabbossiere@vlct.org)>  
**Subject:** RE: On The Falls Disc Golf Course Proposal.docx

Hi Ron- Thanks for reaching out. I am copying Jeff LaBossiere on this as he would be available to assist the city with any onsite reviews, as well as providing additional input on site-specific concerns.

In general, these types of uses are acceptable, but do require some forethought with regard to the course design (and in particular how any errant throws) might impact other park users or pedestrians. If I recall Waterbury has had significant complaints from certain citizens in their community about allowing disc golf in one of their parks. Tom Lietz is the new manager (with Bill Shepeluk being the former). Tom may be able to share concerns that the manager's office has received so you are at aware of what that might look like.

From a risk perspective, the risks are:

- Discs striking and injuring other park users. Thus, design can help to mitigate that.
- In your particular location, I would be concerned about errant throws that end up in the sewage treatment lagoons. I'm sure they are fenced but not sure if there is barbed wire at the top. Either way, that would be a concern – that folks might climb over a fence and get injured, or attempt to retrieve a disc from the lagoon and fall in, get injured, etc. Probably the best way to address this is with course layout. Holes 1, 3, and 6 would seem to have the greatest risk for this to occur. Keep in mind, that I'm just looking at the map – so it's hard to judge scale. I'm also not familiar with how far off course throws can be.
- Given that the "group" will be maintaining the course, you would want an agreement with them in which they agree to assume the liability risk for injury that is associated with poor maintenance of the course. They should have a general liability policy that lists the city as additional insured. That assumes they are a separate entity – which may not be the case. If, on the other hand they are not a separate entity and would be acting as "municipal volunteers", then you should refer to the volunteer guidance on our website. As authorized volunteers, their actions are covered by the municipal general liability coverage and the city assumes all of the risk associated with the course use.

After re-reading the attachment, it seems most likely that they are an organized group of citizens but not a separate entity. As such, there is no insurance that they can purchase to protect the town. In that case, the city will assume all liability risk from the operation and use of the course, as well as liability for lack of maintenance. If this is correct, then I would follow the volunteer guidance at <https://www.vlct.org/resource/volunteer-risk-management> (you will need to login to access it) and work with the group to minimize the potential for disc throws that impact other park users or have the potential to fall within the lagoon confines.

Hopefully this makes sense. Feel free to reach out if you'd like to discuss further.

Best, Fred

**Frederick J. Satink**, Deputy Director, Underwriting & Loss Control  
Vermont League of Cities & Towns PACIF, 89 Main St., Suite 4, Montpelier, Vermont 05602  
Office: 802-229-9111 Direct: 802-262-1948

**April 20, 2023**

TO: Ron Redmond, City Manager

FROM: Peter Garon, Zoning Administrator

cc: Penny Austin, City Clerk  
Angela Bolduc, City Treasurer  
Jim Larrow, Supervisor, Public Works  
Rick Chaput, Chief Operator, WWTF

RE: Sewer Request Processing

As requested I met with the city clerk, the city treasurer, the supervisor of public works, and the sewer plant chief operator to review processes related to sewer procedures. As you are aware, since Mel Hawley left the city manager position, and Joan Devine left the city clerk position, there has been confusion over several aspects of processing requests for sewer tap on or reservations. This confusion has been exacerbated by turnover in those positions since they left and by the absence of written procedures to guide the process.

For these reasons, reservations have been handled in different ways by different staff and it has been difficult to reconcile these differences. Our recommendation to you is that we adapt the attached procedures going forward, and do not attempt to address any past issues which at a minimum are confusing and subject to a variety of interpretations.

Peter

## SEWER FEES

Applicants may request that a discharge allowance be reserved for future use and pay the hook-on fee at the time of connection to the city system. Applicants may also pay the total hook-on fee at the time of application.

1. To reserve sewer capacity, the applicant shall pay a one-time fee of fifty dollars (\$50) per household unit for residential uses, and one hundred dollars (\$100) for non-residential (commercial) uses. Fees paid to reserve sewer capacity are for administrative processing and thus shall not be credited toward the full connection fee or returned to the applicant if the application is withdrawn or not utilized. Capacity reserved will expire if construction has not commenced in three (3) years from the date of the application.
2. Full connection fees must be paid before use of the sewer system is allowed. For each single household unit, based on \$6.38 per gallon, the fee shall be \$1340.00. The unit charge shall apply to each unit whether directly connected to the City sewer, or as an addition to an existing connection. Multiple household unit fees shall be based on the single household fee multiplied by the number of units.  
All other establishments shall be charged \$6.38 per gallon multiplied by the gallons per day flow as determined by the State of Vermont, Wastewater Management Division, Chapter 1, §1-803, Wastewater and Potable Water Supply Rules (most current version) with a minimum charge of \$1340.00. If the system is not utilized, and the application is withdrawn, the connection fees shall be returned to the applicant.
3. There is an additional state required recording fee of \$15 when the form is filed.

## VERGENNES SEWER APPLICATION

(PERMISSION TO INSTALL AND CONNECT A PRIVATE SEWER LINE TO THE CITY SEWER SYSTEM)

1. Applicant
2. Mailing Address of Applicant
3. Email \_\_\_\_\_ Phone \_\_\_\_\_
4. Address to be served by the sewer connection.
5. The address is Commercial ( ) Residential ( )  
If residential, how many households will be served by the system? \_\_\_\_\_
6. Name, address, and contact information of person/firm performing the proposed work.

In consideration of the granting of this permit, the undersigned agrees:

1. To accept and abide by all provision of the “Sewer Ordinance of the City of Vergennes” (attached), and of all other pertinent ordinances or regulations as may be adopted in the future.
2. To maintain the private sewer line at no expense to the city.
3. To notify the City Public Works Department **prior to any portion of the work being covered** when the private sewer line is ready for inspection and connection to the public sewer main.

Signed \_\_\_\_\_ Date \_\_\_\_\_

Plans and specifications for the proposed private sewer line must be attached.

SEWER APPLICATION FLOW CHART  
(FOR ADMINISTRATIVE USE ONLY)

☐ APPLICATION FILED: DATE \_\_\_\_\_

☐ FEE PAID: AMOUNT \_\_\_\_\_ DATE \_\_\_\_\_

☐ NON-RESIDENTIAL ☐ FULL FEE ☐ RESERVE FEE

☐ RESIDENTIAL NUMBER OF HOUSEHOLD UNITS \_\_\_\_\_  
☐ FULL FEE ☐ RESERVE FEE

☐ FORM TO **SEWER PLANT CHIEF OPERATOR**:

CAPACITY EXISTS: YES ☐ NO ☐ DATE: \_\_\_\_\_

IF APPLICABLE, ENGINEERING MEETS STANDARDS

YES ☐ NO ☐ NA ☐ DATE \_\_\_\_\_

☐ FORM TO **CITY MANAGER** FOR APPROVAL: DATE: \_\_\_\_\_

☐ FORM TO **ZONING ADMINISTRATOR** FOR FILING AND COPYING AND  
INSTRUCTIONS SENT TO APPLICANT: DATE \_\_\_\_\_

☐ SIGNED COPY TO **PUBLIC WORKS SUPERVISOR**

☐ PUBLIC WORKS SUPERVISOR SIGNS FORM ON APPROVAL OF WORK AND  
RETURNS COPY TO ZONING ADMINISTRATOR

☐ FORM TO **CITY TREASURER** FOR BILLING RECORDS

☐ ZONING ADMINISTRATOR FORWARDS FORM TO CITY CLERK FOR RECORDING  
AND FILES COPY WITH ZONING PERMIT

# City of Vergennes

Tel: 802.877.3637

120 Main Street, P.O. Box 35

[manager@vergennes.org](mailto:manager@vergennes.org)

Cell: 802.238.5598

Vergennes, VT 054991

[www.vergennes.org](http://www.vergennes.org)

Date

Name

Address

Vergennes, VT 05491

RE: Approval of Sewer Connection.

Your request to connect to the city's sewer system is approved. Attached is the signed form.

Your fees are fully paid. OR, Fees in the amount of \_\_\_\_\_ are still owed and must be paid before you can tap on to the sewer system and receive a certificate of completion from the city for your project.

Fees paid to reserve sewer capacity are for administrative processing and thus shall not be credited toward the full connection fee or returned to the applicant if the application is withdrawn, expires, or is not utilized. Capacity reserved will expire if construction has not commenced within three (3) years from the date of the application.

If the system is not utilized, and the application is withdrawn, the connection fees, but not the reserved fee, shall be returned to the applicant.

Please note that before you or your construction contractor covers over the sewer connection, you must first contact the Vergennes Public Works Supervisor to review the connection. He can be reached via email at [vpwvt@vergennes.org](mailto:vpwvt@vergennes.org) or by phone at (802) 877-3585. Failure to do so may require your work to be uncovered so that it may be inspected. Final review of the sewer connection is required before you can receive a certificate of occupancy and occupy the structure.

Please feel free to call or email me if you have additional questions or concerns.

Sincerely,

Ron Redmond, City Manager

[manager@vergennes.org](mailto:manager@vergennes.org)

802-877-3637



City Of Vergennes Fire Department  
50 Green Street, Vergennes, Vermont, 05491  
Station-1-802-877-3201

To: Ron Redmond, City Manager

From: David DiBiase, Interim Fire Chief

Subject: Outdoor Seating, Hired Hand, School Street

Ron, in speaking with Chief Ouellette and after receiving concern from a department member I wanted to provide you with Vergennes Fire Department's (VFD) review of the proposed outdoor seating at the Hired Hand Brewery.

VFD agrees and supports Chief Ouellette's approach to using historical data and real-world knowledge of the proposed configuration. VFD does not recall having any issues with the seating area in its past configuration in the ways of access or safety since its initial placement in 2020.

In further support to Chief Ouellette's assessment of the safety of this proposal, The Vermont Agency of Transportation (VAOT) currently used Vermont *State Design Standards, 1997 edition* under Section 6.4 *Lane and Shoulder Widths for Urban Local Streets* states that;

"On urban and village Local streets, lane widths may vary from 7 to 11 feet, and there should be appropriate offsets to curb. The 7 and 8-foot widths may be appropriate in residential areas having very low traffic volume and little or no truck traffic. Lane and shoulder widths within Historic Districts should be compatible with the historic character of the district. As an absolute minimum, a 2-foot offset to vertical curb is recommended, and a 1-foot offset to sloped curb. In all cases, drainage grates and drop inlets should be designed so that they do not project into a travel lane. Drainage grates should always be bicycle-safe in design."

Using this guidance and categorizing this as a "residential area having very low traffic and little to no truck traffic." We can assume that an 8ft lane width with 2ft curb spacing would be allowable without utilizing the exception for Historic Districts although this area could be considered as such. It is our understanding that the overall curb to curb measurement is 36ft 8in, reducing the road width by 4ft on both sides to account for curb offset, we are now at a total of 32ft 8in of total lane width available. If we further reduce the road by an additional 16ft to account for an 8ft parking space on each side of the street, resulting in available lane width of 16ft 8in for travel resulting in two lanes of 8ft 4in. The 8ft 4in lane width meets and exceeds the standard.

Recommendations, although these measurements and standards speak to ideal conditions further information should be considered such as distance to the intersection, and traffic flow. In consideration of all factors VFD supports the project and would recommend the following to ease concern and provide an adequate safety factor is applied since patrons will be seated and in close proximity to vehicle traffic.

1. Barrier devices used to separate vehicles and pedestrians should be of the proper type and secured as required to ensure the safety of patrons from vehicles.
2. Barriers should have some type of reflective mitigation attached for easy nighttime visibility.
3. The two parking spaces on the National Bank of Middlebury side of School Street closest to the intersection should be removed to allow better alignment to the intersection.
4. Signage of the new traffic pattern should be installed.

We appreciate your consideration of proposed improvements to ensure the safety of our citizens and patrons and thank you for the opportunity to provide an assessment.

Respectfully,

David DiBiase, Interim Chief, City of Vergennes Fire Department

4/19/2023





## VERGENNES POLICE DEPARTMENT

POST OFFICE BOX 35  
8 MAIN STREET  
VERGENNES, VT  
05491  
802-877-2201

Dear City Manager and City Council:

This is a safety assessment of the three parking spaces on School Street in front of the Hired Hand Brewing Co. It should be noted that this assessment is for safety only and not for other considerations determining if the parking spaces should be converted into outdoor seating.

There are many variables to consider when assessing safety. The difficulty in accessing safety is determining the probability of an event(s). In emergency services, we use data from various sources to make an approximate estimation of the likelihood of an event. I used police database systems and a survey to determine the safety of the seating area.

I analyzed three years of data from police and Department of Motor Vehicle (DMV) database systems. The scope of the search was for proactive policing measures specific to motor vehicle operation and 911 calls for an unsafe motor vehicle incident(s).

I also searched police database systems for self-generated reports or 911 calls specifically for the parking spaces used for seating in 2020, 2021, and 2022.

I conducted a survey that asked four questions on the safety of the area of School Street between East Street and Green Street. I surveyed residents and employees who reside and work in the area. A total of eleven people participated in the survey. What follows are the survey questions and responses:

Survey Question:	Survey Options:	Number of Responses:
How safe do you feel the vehicle operation is on School Street?	a. Not safe	1
	b. Somewhat safe	6
	c. Safe	3
	d. very safe	1
How frequently do you witness unsafe driving on School Street?	a. Never	1
	b. Rarely	3
	c. Occasionally	4
	d. Frequently	3
	e. Always	0

TELEPHONE NUMBER: (802) 877-2201  
FAX NUMBER: (802) 877-1155



## VERGENNES POLICE DEPARTMENT

POST OFFICE BOX 35  
8 MAIN STREET  
VERGENNES, VT  
05491  
802-877-2201

Do you feel comfortable walking or biking on School Street?	a. Yes, always	7
	b. Yes, but only during certain times of the day	4
	c. No, I feel unsafe walking or biking on School Street	0
Have you ever witnessed or been involved in a traffic accident on School Street?	a. Yes	0
	b. No	11

It should be noted that participants were not informed of the reason for the survey.

I used local data specific to the area of concern and not statistics from other communities. I used locally specific data because the outdoor seating has already been put in place, which provides valuable real-world information, and vehicle operation and safety data on School Street can be specifically analyzed. After reviewing the data, the outdoor seating is reasonably safe because there have been no reported incident(s) with the preexisting structure or police-generated reports of unsafe motor vehicle incident(s) on School Street specific to the area in question. The survey did indicate some safety concerns, but the response generally indicates that the road is reasonably safe. The survey also provides information that certain safety precautions should be implemented. I provide some suggestions below.

The seating space would not impede police vehicles. I also spoke with Interim-Chief David DiBiase of The Vergennes Fire Department; he informed me that the seating would not affect fire engines in their response.

I suggest the city discuss ways to increase outdoor seating visibility, which would help reduce the possibility of an incident—for example, barriers, signage, reflectors, or lighting.

If you have any questions or concerns, please contact me.

Respectfully,

Chief of Police  
Jason Ouellette

TELEPHONE NUMBER: (802) 877-2201  
FAX NUMBER: (802) 877-1155