

Vergennes, VT

2019, CITY COUNCIL

City Council Informational 12-17-2019

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CITY COUNCIL INFORMATIONAL MEETING

PROPOSED CHANGES TO THE CITY CHARTER

DECEMBER 17, 2019

MINUTES

Deputy Mayor Lynn Donnelly called the duly warned and posted informational meeting to order at 6:00 p.m. at the Vergennes Fire Station on Green Street. The purpose of the meeting was to review and discuss proposed changes to the Vergennes City Charter. Those in attendance were:

Deputy Mayor Lynn Donnelly	Mel Hawley
Alderman David Austin	Peter Garon
Alderman Mark Koenig	Renny Perry
Alderman Lowell Bertrand	Allison Rimmer
Alderman William Benton	Shannon Haggett
Alderman David Small	Nial Rele
City Manager Matt Chabot	Rainwalker Winterpainter
City Clerk Joan Devine	Andy Kirkaldy

Sivan Cotel

Deputy Mayor Donnelly reported this meeting will not qualify as one of the public hearings because it was not warned properly for such but that we can utilize the opportunity to obtain comments and suggestions on the proposed changes to the City Charter. Deputy Mayor Donnelly advised Mel Hawley sent a copy of his suggested changes that were forwarded to the City Council and that he was present and will address his recommendations when we get to those areas. She pointed out that throughout the document any reference to "Council members" was replaced with "Councilors".

15a-101. Corporate existence retained; form of government: Mel Hawley advised, based on dimensions listed in the Charter, there are 1,200 acres in Vergennes, but we have been taxing 1,600 acres over the years (25% more). He reported all abutting towns are aware of this and it has been a topic of discussion many times, so he recommended dealing with this once and for all. He felt it was important to get the town lines correct. When he was the City Manager over 25 years ago tax mapping came into existence, he advised, and it revealed the City was taxing 1,600 acres so he and Ken Degree began doing research to see what was wrong. They determined at that time that the City has been taxing property in Waltham, Panton and Ferrisburgh for over 200 years. He recommended to the City Council that they get the City surveyed, gather documentation showing taxation for 200 years, and have the Legislature approve the corrected dimensions. He went on to suggest the City Council delay this proposed Charter change until this can be completed and that the proposed Charter be reviewed by the City Attorney. Mel Hawley stated that he reads the proposed Charter changes as a complete repeal of our current Charter with a new proposed substitution. Deputy Mayor Donnelly questioned what the cost of fighting the Town of Ferrisburgh and a survey would be. Mr. Hawley advised only four boundary stakes would need to be set; surveys on file at City Hall for Booth Woods, the Water Tower, VUHS, etc. all show historic boundaries of the City. Renny Perry stated he did not know if Vermont was an adverse possession state but, if it is, we may automatically have claimed it. He also said he did not know if municipalities were exempt. Deputy Mayor Donnelly advised we will put this section aside and move forward with the review.

15a-105 Power over water resources: Water is regulated by federal government, so he has mixed feelings on what we are walking into, advised Mel Hawley.

15a-202(b)(2). Eligibility of Non-citizen Voters: Mel Hawley did not support this addition that would require an additional checklist to keep track of at the polls; elections are busy without another chore. Alderman Koenig defended the inclusion as a recent option adopted by both Montpelier and Burlington to allow them a voice in local government. He felt the public can decide whether to keep it or remove it. Renny Perry supported removal as he felt the privilege to vote and honor come with citizenship. Nial Nele stated he is a non-citizen from India but has lived here most of his life and is a taxpayer. He sits on the Board of Directors for the Bixby Library and United Way. He expressed interest in this to be a

regular conversation and would love to have a say in local elections. Sivan Cotel supported taxpayers and upstanding residents having a voice.

15a-204. Reconsideration and rescission: Mel Hawley proposed different language to reflect a voter approved article (a few years ago) that requires signatures of 10% of the voter checklist to reconsider or rescind an article.

15a-205. Nominations in general: Mel Hawley suggested deletion of proposed language and proposed current law language.

15a-206. Nomination of incumbent: Proposed new wordage pertaining to special elections was questionable but will remain for now.

15a-301(c). Composition: eligibility; election and terms: Renny Perry saw no need to go to 3-year terms; 2-year terms have never been a problem. Peter Garon liked 2-year terms for accountability. Mel Hawley agreed and also pointed out there is no Board of Listers, Auditors or Grand Juror position listed. He was surprised they were not there with no discussion. Mark Koenig advised it was not intentional; he missed that and would put them back in except for the Grand Juror position.

15a-302. Compensation; expenses: City Clerk Devine advised 24 V.S.A. §933 says the selectboard wages shall be fixed by the auditors. Mel Hawley advised the City Council can set their own wages if stated in the Charter.

15a-303 Mayor and Deputy Mayor; election, terms, and duties: Proposed deleting Chair of the City's Strategic Planning Committee; you can have such a Committee but you need to define duties and keep minutes to meetings.

Deputy Mayor Donnelly advised, because we were short on time, she wanted to move ahead to section 15a-503 (c and d). City officers; appointment of: Mel Hawley stated there is State law referring to who the City Manager appoints; you may want to list them all who shall hold office at the will of the City Manager. Delete c and d.

15a-505 Acting City Manager: Renny Perry suggested deleting 'during a temporary absence' so as to allow vacation and such.

15a-603. Personnel system: Some felt too detailed.

15a-710. Administration of budget: Over the top – excessive.

At 7:30 p.m. Deputy Mayor Lynn Donnelly declared the informational meeting adjourned and thanked guests for coming and sharing their thoughts, comments and suggestions.

Respectfully submitted

Vergennes City Clerk