

VERGENNES CITY COUNCIL
Final Meeting Minutes
Tuesday, MARCH 28, 2023

COUNCIL MEMBERS/STAFF: Mayor Chris Bearor, Deputy Mayor Dickie Austin, Alderwoman 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.

Visitors: Shannon Haggett , Steve Huffaker representing Maple Broadband, Gerianne Smart representing Friends of Vergennes Opera House, and Kathy Rossier.

1. Microphone Check:

- 2. Call to Order:** 5:35 P.M. Mayor Bearor announced the passing of Fire Chief Breuer and asked for a moment of silence in his honor and sent the City's condolences to his family on his passing. He announced the calling hours and funeral times. This will be uploaded to the city website on Wednesday.

3. Amendments to Agenda: Deputy Mayor Austin amended to add 7c.:

- i. Request for approval of a 1st, 2nd, and 3rd Class Liquor License for 35C Green LLC, also known as Bar Antidote/Hired Hand and approval of an Outdoor Consumption Permit for their porch, from May 1, 2023 to April 30, 2024.
- ii. Request for approval of 1st and 3rd Class Liquor License, a Tobacco License, and an Entertainment License for B.K.W. Enterprises, also known as City Limits, from May 1, 2023 to April 30, 2024.
- iii. Request for approval of a 1st Class Club Liquor License, a 3rd Class Club Liquor License, and Outdoor Consumption Permit for the American Legion, Post 14, from May 1, 2023 to April 30, 2024.

Motion to approve the amendments to the agenda by Alderwoman Rakowski and seconded by Deputy Mayor Austin. Vote: 7-0 Approved.

- iv. Additionally, to amend the requests below from the last meeting for the approval of one-year licenses for the sale of liquor, tobacco, and tobacco substitutes for the following businesses to amend the dates to (May 1, 2023 to April 30, 2024):
 - a. KPH Drugs, Inc. (Kinney Drugs) 2nd Class Liquor License.
 - b. Brockton Corporation (Shaw's) 2nd Class Liquor License, Tobacco License, and Tobacco Substitute License
 - c. Wesco, Inc. (Champlain Farms) 2nd Class Liquor License, Tobacco License, and Tobacco Substitute License
 - d. R. L. Vallee (Maplefield's) 2nd Class Liquor License, Tobacco License, and Tobacco Substitute License
 - e. Pork Squid, LLC 1st and 3rd Class Liquor Licenses
 - f. Moohah, Inc. 1st and 3rd Class Liquor Licenses and an Outdoor Consumption Permit

- 4. Approval of Minutes (3/14/23).** Deputy Mayor Austin made a motion to table the approval of the minutes to the next meeting so the Administrative Staff can revise to add visitors and make

other edits by the council. Alderwoman Murray-Killon seconded the motion. Vote: 7-0 Approved. Alderwoman Brinkman asked how revised agendas and minutes were communicated and was told the website. She also asked where the agendas were posted and it was stated that it was the website, outside the City offices, the post office, and at Maplefield's. City Manager Redmond said he would report back to council on locations and process for posting at the next council meeting.

5. **Approval of Warrant (3/2/23).** Motion by Deputy Mayor Austin, seconded by Alderwoman Rakowski. Vote: 7-0 Approved.
6. **Visitors.** Alderwoman Brinkman asked what visitors get recognized here. It was discussed and those that participated would be listed here.
7. **Business.**
 - a. Motion made to appoint Michelle Eastman to serve as Grand Juror for a one-year term, ending March 2024 by Deputy Mayor Austin with second by Alderwoman Rakowski. Vote: 7-0 Approved.
 - b. Motion made to appoint Nancy Ambrose to the Vergennes Parks & Recreation Committee for a one-year term ending in March 2024 by Alderwoman Rakowski with second by Deputy Mayor Austin. Vote: 7-0 Approved.
 - c. Request for approval of the businesses listed above in 3.v. seeking liquor and tobacco licenses, outdoor consumption permits, and entertainment licenses. Motion to approve the above with the amended dates by Alderwoman Rakowski and seconded by Alderwoman Kaslow. Vote: 5-0 with Deputy Mayor Austin and Alderman Huizenga abstaining.
 - d. Motion to approve the annual agreement for \$600.00 with Homeward Bound, Addison County Humane Society re: stray dogs was made by Deputy Mayor Austin with a second by Alderwoman Brinkman. Vote: 7-0 Approved.
 - e. Motion made by Alderwoman Brinkman with a second by Alderwoman Murray-Killon to receive the March 14, 2023 report findings of the Vergennes Planning Commission that the proposed amendments to the zoning and subdivision regulations are in conformance with the municipal development plan for the City of Vergennes approved by the Vergennes City Council on May 24, 2022. Vote: 7-0 Approved.
 - f. Motion to set a public hearing on the proposed amendments to the zoning and subdivision regulations at the Tuesday, April 25, 2023 City Council Meeting by Alderwoman Brinkman with a second by Alderwoman Rakowski. During discussion, Planning Commission Chair, Shannon Haggett suggested a time certain for the start of the public meeting. Deputy Mayor Austin amended the motion to set a public hearing on the proposed amendments to the zoning and subdivision regulations on the Tuesday, April 25, 2023 meeting with a start Time Certain at 5:45 pm with Alderwoman Brinkman seconding. Vote on Amendment: 7-0 Approved. Vote on original motion 7-0 Approved.
 - g. Motion to accept the Vermont Community Development Program grant agreement resolution 07110-PG-2021-Vergennes C-15 for \$30,000, (as shown on Page 17 of Meeting Packet), for predevelopment activities in support of an elevator, associated driveway and landscaping for Vergennes City Hall as part of the All Access Project of the Friends of Vergennes Opera House. Motion to approve by Deputy Mayor Austin and seconded by Alderwoman Kaslow. Vote: 7-0 Approved.

- h. Presentation and discussion of draft, 25-year lease agreement between the City of Vergennes and the Friends of the Vergennes Opera House, Inc. (FVOH). Gerianne Smart, FVOH Board President and City Manager Redmond explained the reason for updating the contract was to support FVOH's efforts to gain state and federal funds for All Access Project. The contract was last updated in 2003 and amended in 2005. Council discussed and recommended these changes: 1) combine two sections in contract that describe the ticket booth as they are contradictory, 2) in section 8, remove the word "from", and 3) for times when the city is using the Opera House for events that are funded by a fee or are ticketed, FVOH asked that the city cover the basic operations and maintenance costs. Language that addresses this will be included in the updated draft to be presented at the next council meeting.
- i. Motion to approve proposed changes to the Parks and Recreation Committee charge by Alderwoman Rakowski with Deputy Mayor Austin seconding. Discussion ensued and it was decided to clarify the Open Meeting Law posting rules. Deputy Mayor then made an amended motion to approve proposed changes to the Parks and Recreation Committee charge, with the language state in the General information paragraph to change from "The committee shall post all agenda and minutes on the city's website at www.vergennes.org in compliance with the Vermont Open Meeting Laws." to "The committee shall post all agenda and minutes in the same locations as the City Council agendas and minutes are posted in compliance with the Vermont Open Meeting Laws." Vote for amended motion: 7-0 Approved. Vote for the original motion: 7-0 Approved.
- j. Martha DeGraaf, Recreation Coordinator, gave an update on 2023 season for the Sam Fishman Memorial Pool including results of Aquatic Facility Analysis performed by Nationwide Aquatic Consulting, Inc. in November 2022. The analysis showed that our pool is in good shape for its age but there are a few things to be fixed before the next pool season starts. The first being the pump/motor and the electrical work. There is a list of items on pages 34 and 35 of the meeting packets. They are still working on an estimate for the pump and motor. It was suggested by Mayor Bearor to have a backup pump on hand in case we need one as well. The Council asked Martha to come back next month with a more complete estimate for budgetary purposes.
- k. City Manager Redmond and Public Works Supervisor Jim Larrow gave us an update on the construction of a new Salt Shed. The costs have risen from \$232,188 in 2019 to \$608,774 presently. Our portion would be \$250k. We are thinking about going to the voters for approval to bond for this amount. This is estimated to be complete in 2025.
- l. Steve Huffaker and Shannon Haggett updated the Council on the proposed Maple Broadband lease for locating equipment at MacIntosh Park. They reported that they were in discussions with the State for locating it on the State Solar Farm and that the State location was their first choice. They expect to hear from the State within the week.
- m. Motion to approve the policy for the Infrastructure Improvement Fund, approved by the voters on March 7, 2023, less an extra "a" was made by Deputy Mayor Austin with Alderwoman Rakowski seconding. Vote: 7-0 Approved.
- n. Continued discussion re: possible 2023 special election to seek voter approval of updated lease agreement with the Friends of Vergennes Opera House, proposed lease agreement with Maple Broadband, and the establishment of city reserve funds not previously approved

by voters. The Council was given two alternatives for this election, using the Tabulator or hand count. The Charter requires us to post a warning for a special election 12 days before but with a bond included, it would be 30 days prior to the election per the State statute. We would need to have an informational meeting during that time as well.

8. City Manager's Report: None

9. Mayor's Report: Mayor Bearor asked that the draft minutes take priority and be distributed expeditiously to the council and the public. He also asked that all items for the City Council agenda reach the City Manager by noon on the Friday before the following Tuesday City Council meeting. Council discussed individual council members reporting out to the Council and that it would occur on an as-needed basis. Alderwoman Kaslow discussed the importance of periodic reports from department heads to give update to give updates on key projects. Information will help the council to better support staff, she said. City Manager Redmond said he would draft a list of possible locations around the city where future meetings could take place.

10. Council voted to go into Executive Session at 8:05 PM regarding agreement with the New England Police Benevolent Association Local 429 per 1 V.S.A. Section 313(A)(1)(b) after making a specific finding that premature general knowledge would clearly place the public body, or a person involved at a substantial disadvantage. Motion made by Deputy Mayor Austin with second by Alderwoman Rakowski. Vote: 7-0 Approved. The council moved to include members of the negotiating team – Peter Garon and Angie Bolduc—in the executive session. The council came out of executive session at 8:46 PM. Mayor Bearor called the meeting back to order. Deputy Mayor Austin presented a motion to authorize the city manager to accept the bargaining agreement with NEPBA Local 429. Alderwoman Kaslow seconded the motion. Vote: 7-0 Approved.

11. Adjournment: Deputy Mayor Austin motioned to adjourn. Alderwoman Brinkman seconded. Vote: 7-0 Approved.