

**Regular Meeting of the Barre City Council
Held November 13, 2012**

The Regular Meeting of the Barre City Council was called to order at 7:00 PM by Mayor Thomas Lauzon. In attendance were: From Ward I, Councilors Charles Dindo and Paul Poirier; from Ward II, Councilors Michael Boutin and Michael Smith; and from Ward III, Councilors Anita Chadderton and Lucas Herring. Also in attendance were City Manager Steven Mackenzie and Clerk Carolyn Dawes.

Approval of Consent Agenda: Council approved the following consent agenda items as presented on motion of Councilor Herring, seconded by Councilor Smith. **Motion carried.**

- Minutes of the following meeting:
 - Regular Meeting of November 5, 2012
- City Warrants as presented.
- 2012 Licenses & Permits issued through the clerk's office: NONE

The City Clerk and Treasurer Report – Clerk Dawes made the following announcements:

- Election results from the November 6th general election are posted on the City website.
- 2nd quarter property taxes are due by November 15th.
- The Board of Civil Authority is scheduled to hear a property tax appeal on November 15th at 5:30 PM.
- The winter parking ban goes into effect on November 15th to April 1st. Overnight parking permits are available in the Clerk's office.

Approval of Building Permits – NONE

Liquor Control Board – Mayor Lauzon noted the inclusion of a copy of a VT DLC notice of hearing for South Side Tavern, scheduled for December 2nd. The Mayor said Council can decide if it wants to take any action as the local liquor control board.

Visitors and Communications – NONE

City Manager's Report –

Manager Mackenzie reported on the following:

- Reviewed the propane leak on Election Day that caused the relocation of the polling place.
- The Transportation Advisory Committee will hold its 3rd public meeting on the Summer Street truck route tomorrow at 7:00 PM in City Hall. The TAC will report to the Council at the 11/27 meeting.
- Continues to work on coordination of the land sales/purchases associated with City Place.
- Attended Veterans' Day ceremonies last Friday.
- Signed the notice to proceed and contracts associated with the reservoir spillway repairs.
- Work on the Hope Cemetery water system is underway.

New Business –

A) Committee Appointments.

Prospective Recreation Committee member Renee Proteau introduced herself to the Council and expressed her interests in joining the committee. There was discussion about expanding recreation opportunities to include all ages, and the responsibility of the Civic Center and the Recreation Committees.

Council appointed Ms. Proteau to the Recreation Committee on motion of Councilor Poirier, seconded by

Councilor Herring. **Motion carried.**

Council re-appointed Juliette DuBois to the Housing Board of Review on motion of Councilor Poirier, seconded by Councilor Smith. **Motion carried.**

C) GMTA Update.

GMTA Community Relations Manager Tawnya Kristin and General Manager Bill Watterson updated the Council on GMTA services in Barre City. Ms. Kristin said ridership is increasing on all routes, and Mr. Watterson said larger busses are being added to the Link Express to accommodate the increases. Ms. Kristin thanked the City for the constant communication during the Big Dig, as routes were shifted to accommodate the construction. She said routes will return to their regular schedules on November 19th. There was discussion about bus shelters, and Ms. Kristin said plans are underway for a larger shelter near the proposed City Place site.

Liquor Control, cont. -

Councilor Poirier asked that Council return to Liquor Control, and called attention to the VT DLC hearing notice previously mentioned by the Mayor. He asked that Council receive a report from DLC after the hearing and follow up on the matter. He asked that the City attorney be contacted for a legal opinion on the City's liability associated with knowledge of violations. There was discussion about Council procedures following notice of violations, development of a policy or ordinance revisions to address such violations, and inviting the state liquor commissioner to address the Council about violations. Councilors Dindo and Poirier volunteered to begin drafting a policy and will report back in two weeks. At Council's request, Mayor Lauzon will send a letter to South Side Tavern letting the owner know the local liquor control board is aware of the upcoming hearing and will be monitoring the situation. Copies of the letter will be provided to the Council.

B) Barre Partnership Holiday Parade, Tree Lighting and Fireworks.

Mayor Lauzon reviewed a letter from Partnership executive director Dan Jones which outlined the holiday celebration plans for Saturday, November 24th, and said this year's celebrations will include special fireworks tentatively scheduled to be shot off from the Vermont History Center and visible from City Hall Park. Clerk Dawes said the application for the fireworks permit is expected to be filed this week and she has touched base with Chief Bombardier, who has given preliminary approval for the fireworks, contingent upon receipt of the application and fee. The Clerk recommended Council approval of the parade and fireworks permit contingent upon receipt of the application and fee, and Chief Bombardier's approval.

Council approved the parade and fireworks permit with contingencies as recommended by Clerk Dawes on motion of Councilor Boutin, seconded by Councilor Smith. **Motion carried.**

D) Semprebon Maintenance Fund.

Councilor Smith reviewed his memo, which proposed the following three steps:

- Establish maintenance funds:
 - For the bike path, with initial funds coming out of the Semprebon Fund and additional funds coming out of the Semprebon annuity each year.
 - For all other Semprebon projects, such as the playgrounds, with funds coming out of the Semprebon annuity each year.
 - For North Main Street with funds coming out of the Semprebon annuity each year, and with matching funds coming from other sources such as parking fees.
- Set a time limit for the expenditure of appropriated funds. Councilor Smith recommended funds not spent by 7/1/13 revert back to the Semprebon Fund for re-appropriation.
- Establish a committee to provide ongoing oversight of funded projects.

There was discussion about the annuity. Mayor Lauzon said the City needs to review the language in Mr. Semprebon's will and other documents related to the annuity to ensure the City is accounting for the funds correctly. Councilor Poirier said Mr. Semprebon's will stated that the bequest funds not be used for ongoing maintenance and he said that all maintenance expenses should be built into the general operating budget. He said he agreed with Councilor Smith's recommendation for setting a time limit on the expenditure of appropriated funds. Mayor Lauzon said a discussion on setting a time limit will be on next week's agenda.

There was a discussion about establishing a committee to provide ongoing oversight, City staff providing that service, use of annuity funds for maintenance, City facilities maintenance as a municipal responsibility, including maintenance as part of the budget discussions in December, use of the Semprebon Committee to ensure there is a perpetual monument to Charlie Semprebon's bequest, and funding to date of projects that have been requested by the Semprebon family.

Councilor Herring made the motion to set July 1, 2013 as the ending date for expenditure of Semprebon Fund appropriations unless there is documentation of continuing use of funds. The motion included giving the City Manager discretion to continue to use the Semprebon Committee to monitor progress of funded projects in the interim. The motion was seconded by Councilor Smith. **Motion carried.**

Mayor Lauzon said due to the Council's decision, there will be no need to place the time limit discussion on next week's agenda.

Old Business –

A) City Place Project:

- 1. 9 Merchant St. – Authorization for Interim Property Purchase.**
- 2. City Place Properties – Master Lease Agreement with Barre City Place, LLC.**
- 3. City Place Properties – Purchase and Sales Agreement with Barre City Place, LLC.**

Mayor Lauzon reviewed the continuing developments and said the project is moving towards closing, tentatively scheduled for the end of November. Manager Mackenzie reviewed his memo and list of documents that require Council approval. Mayor Lauzon said he does not approve of the Purchase and Sales Agreement or Master Lease documents in their current format. The Mayor said he does approve of the Partial Assignments for 8 Summer Street and 20 Summer Street and recommended Council approve these documents and authorize the Manager to sign on behalf of the City.

Council approved the Partial Assignments for 8 Summer Street and 20 Summer Street and authorized the Manager to sign on behalf of the City on motion of Councilor Smith, seconded by Councilor Herring. **Motion carried.**

Mayor Lauzon said the P&S with DEW needs to correctly define the buyer and there need to be sureties included in the document.

Manager Mackenzie said the promissory note previously approved by Council needs to be amended from \$600,000 to \$610,000, and will be on next week's agenda for action.

Manager Mackenzie said Council needs to approve the purchase of 9 Merchant Street. Mayor Lauzon said that approval was already given in the past as part of the overall approval of the project.

The Mayor said he will work directly with City Attorney Oliver Twombly to finalize the documents and have them to Council in the Friday packet.

Round Table –

Councilors expressed their thanks to Clerk Dawes, her staff, members of the Board of Civil Authority and volunteers who helped make Election Day's poll re-location go so smoothly.

Councilor Herring said he forwarded to Manager Mackenzie a copy of the Agency of Natural Resource's Material Management Plan, which needs to be adopted by the City by 2015. The plan includes guidelines on how to manage materials in accordance with recent legislation.

Councilor Smith said he has had discussions with Chief Bombardier regarding citations, and will have information to share at next week's meeting. He said he also spoke with Capt. Matt Cetin about citations. Manager Mackenzie said Capt. Cetin will be at the November 27th meeting.

Councilor Dindo said the Bike Path Committee is on next week's agenda to give an update to Council.

Councilor Boutin congratulated Councilor Poirier on his re-election to the Vermont Legislature.

Mayor Lauzon said there is a joint public safety presentation scheduled for Thursday, November 15th at 7:00 PM at the Central Vermont Chamber of Commerce. He said his request for advance materials was denied. The Mayor said he will be making the suggestion Thursday evening that the four communities take ownership of the project and rotate the meetings among themselves. He said he will also bring up the idea of a regional water & sewer district.

Mayor Lauzon said Thanksgiving is next week, and there are lots of good programs and worthy causes and other ways of helping people in need.

Resident Jean Merrill asked if any money from the Keith Fund has been spent yet this year. Councilor Poirier said Council usually takes up that issue after Thanksgiving.

Council adjourned at 9:10 PM on motion of Councilor Herring, seconded by Councilor Smith. **Motion carried.**

An audio transcript of the meeting is available through the Clerk's Office.

Respectfully submitted,

Carolyn S. Dawes, City Clerk