

**Special Meeting of the Barre City Council  
Held December 19, 2013**

The Special Meeting of the Barre City Council was called to order by Mayor Thomas Lauzon at 7:02 PM at Barre City Hall. In attendance were: From Ward I, Councilors Charles Dindo and Paul Poirier (arrived 7:10 PM); from Ward II, Alderman Michael Boutin and Councilor Michael Smith; and from Ward III, Councilor Anita Chadderton. Other City personnel in attendance were Police Deputy Chief Andrew Marceau and City Clerk/Treasurer Carolyn Dawes. Others in attendance included John Russell, Linda Russell, Timothy Bingham and Darlene Scott.

Mayor Lauzon opened the revocation hearings at 7:02 PM and reviewed the notices of the hearings issued to John Russell, Capital Cab & Car Service and Timothy Bingham. The Mayor administered the oath to Mr. Russell, Mr. Bingham, Clerk/Treasurer Dawes and Deputy Chief Marceau.

Mayor Lauzon said he would like to enter the following documents into evidence:

- Mr. Russell's 2013 taxicab driver's license application, temporary taxicab driver's license, and annual taxicab driver's license, and 2014 taxicab driver's license application.
- Capital Cab & Car Service 2013 taxicab operator license application, annual license and 2014 application.
- Mr. Bingham's 2013 taxicab driver's license application, annual license and 2014 application.
- A copy of Barre City Ordinance Chapter 16 – Taxicabs.
- Emails and public records received from the City of Burlington relative to Mr. Russell's taxicab driver license and appeal hearing in that municipality.

Mayor Lauzon questioned Clerk/Treasurer Dawes on Mr. Russell's 2013 and 2014 applications. The Mayor questioned Deputy Chief Marceau on the background checks performed on Mr. Russell associated with the 2013 and 2014 applications. The Mayor questioned the Clerk/Treasurer on the application questions associated with arrests. The Mayor questioned Mr. Russell with regards to his responses on the applications in which he indicated he had never been arrested. Mr. Russell said he has a felony conviction from 1985, however, his 2013 and 2014 applications indicated he had never been arrested. When questioned as to why he provided false information on the applications, Mr. Russell said he thought the issue was behind him after he completed his probation, and he has found it difficult to obtain employment because of his prior arrest history.

Councilor Poirier asked Mr. Russell the following questions for the record:

- Councilor Poirier: Are you a veteran? Mr. Russell: Yes.
- Councilor Poirier: Of a particular conflict? Mr. Russell: Yes, Viet Nam.
- Councilor Poirier: Were you awarded any medals? Mr. Russell: Yes, two Purple Hearts.
- Councilor Poirier: What branch of the service were you in? Mr. Russell: The army.

City resident Darlene Scott said she would like to speak on behalf of Mr. Russell. Mayor Lauzon administered the oath to Ms. Scott. Ms. Scott said she uses Capital Cab & Car Service with Mr. Russell as the driver. She said she finds the company extremely professional and they are a vital service for the senior citizens of Barre. She said she doesn't feel any danger for have any qualms about using their services.

Mayor Lauzon asked Mr. Russell if he has ever been arrested. Mr. Russell said he has.

Councilor Dindo asked Mr. Russell what other work he does. Mr. Russell said he uses his personal experience to offer counseling through his church, and he provides leadership at his church. Mr. Russell said it was a mistake for him to provide false information on his applications, it has destroyed his integrity and he apologizes to the people of Barre, his family and friends. Mayor Lauzon accepted Mr. Russell's apology.

Mayor Lauzon said the issue under consideration is making false statements on the applications. The Mayor reviewed the timeline of the Barre 2013 application, the Burlington 2013 application and appeal hearing. Mr. Russell said he didn't know what to do when filling out the 2014 application, because it didn't appear Barre City had questioned the false information on his 2013 application.

Councilor Poirier said it is his intent to get into the record whether the Council thinks Mr. Russell is a threat to the community and to evaluate it against what Mr. Russell has said about why he provided false information. Mayor Lauzon said he had no concerns about issuing a 2014 Taxicab Driver's License to Mr. Russell, that he congratulates Mr. Russell for turning his life around, that he is truly rehabilitated and that by all appearances Capital Cab & Car Service is the type of company the Council wants operating in the City. The Mayor recommended a one week suspension of Mr. Russell's Barre City 2013 Taxicab Driver's License, and a \$250 fine to be paid by March 1, 2014. He said the license suspension will be lifted after seven days subject to Mr. Russell submitting a correct 2014 Taxicab Driver's License application by close of business on Monday, December 23, 2013. The Mayor said he recommended Council approve Mr. Russell's 2014 Taxicab Driver's License following submission of the correct application.

Council approved the Mayor's recommendation on motion of Councilor Chadderton, seconded by Councilor Poirier. **Motion carried with all voting in favor.**

Mayor Lauzon reviewed the evidence related to Mr. Bingham's revocation hearing. The Mayor said Mr. Bingham's signature appears on Mr. Russell's 2013 and 2014 taxicab driver's license applications, and he asked Mr. Bingham if he was aware of Mr. Russell's felony conviction. Mr. Bingham said he was not aware of the conviction when he signed the 2013 application, but had become aware of the conviction through the appeals process in Burlington. He said the place for his signature on the Barre City application is on the first page, not on the second page where background information and arrest history are included. Mayor Lauzon said the City does not ask the taxicab company to verify the driver's background information, and so there is no need to take any action against Mr. Bingham.

Council approved taking no action against Capital Cab & Car Service and Mr. Bingham on motion of Councilor Dindo, seconded by Councilor Poirier. **Motion carried with all voting in favor.**

The Council meeting adjourned at 7:38 PM on motion of Councilor Poirier, seconded by Councilor Smith. **Motion carried.**

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

Respectfully submitted,

Carolyn S. Dawes, City Clerk