

**Regular Meeting of the Barre City Council
Held December 10, 2013**

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

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

- Minutes of the following meetings:
 - Regular Meeting of December 3, 2013.
- Approval of the City Warrants as presented.
- 2013 Licenses & Permits issued through the clerk's office: NONE

The City Clerk/Treasurer Report – Clerk/Treasurer Dawes reported on the following:

- There are three properties scheduled for tax sale on December 11th.
- There will be a vigil on the Universalist Church lawn and steps on December 14th to mark the one year anniversary of the Sandy Hook school shootings. The vigil will run from 4:30 – 5:00 PM.
- The resolution associated with the revenue anticipation note for the parking meter program will come to Council for approval at next week's meeting.
- All parking permits expire on January 1st. New daytime and 24 hour permits are available in the Clerk's office.
- Petitions for public office are available in the Clerk's office and on the City website.
- A ring was found in the money donated during last Saturday's Dollar and Toy Drop. If you believe the ring is yours, you can identify and claim it in the Clerk's office.

Approval of Building Permits – NONE

Liquor Control Board – NONE

City Manager's Report – NONE

Visitors & Communications – NONE

New Business –

A) Sno-Bees Trail Use Approval Request.

Mike Perrigo from the Sno-Bees and Christine Russo-Fraysier from the Cow Pasture Committee told the Council about their discussions to allow the Sno-Bees snowmobile access through the Cow Pasture. Ms. Russo-Fraysier recommended Council approve the landowner permission form, with the restrictions as agreed to by both parties. Council approved, and authorized Manager Mackenzie to sign on behalf of the City, on motion of Alderman Boutin, seconded by Councilor Dindo. **Motion carried.**

Manager Mackenzie requested Council authorization to change the current Cow Pasture signage which restricts the use of motorized vehicles on the property. Council concurred without formal action.

B) Regional Public Safety Authority Revised Charter Discussion.

Members of the Regional Public Safety Committee addressed the Council on the proposed charter. Members present were George Malek, Tom Golonka and Ken Russell. Mr. Golonka reviewed the memo

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highlighting the most recent revisions to the proposed charter language. There was a discussion about charter election timing, number of board members, options for Barre Town and Berlin to join at a later date, the budget process, appointment or election of board members, and recall of board members. Mayor Lauzon suggested a joint meeting between the Barre City and Montpelier Councils.

Council set the first public hearing for the Regional Public Safety Authority Charter for Tuesday, January 21, 2014 on motion of Alderman Boutin, seconded by Councilor Herring. **Motion carried.**

Old Business –

A) Third Reading and Public Hearing of Ordinance #2013-06: Minimum Housing 7:15 PM.

Mayor Lauzon opened the public hearing at 7:48 PM and reviewed the correspondences from Barre Housing Authority (BHA) attorney Frank Kochman and attorney on behalf of Barre City Rob Halpert. City Planner Michael Miller reviewed changes proposed to the draft ordinance, and said with the changes made, he is recommending Council move to a 4th public hearing and adoption.

Alderman Boutin moved ordinance #2013-06 be scheduled for a fourth reading and public hearing at next week's meeting, seconded by Councilor Smith.

Mr. Kochman said the City is discriminating against BHA by exempting dwelling units and commercial properties from an inspection fee. Mr. Kochman said BHA is the landlord of last resort, has more difficulties evicting tenants and no abilities to raise rents to offset fees. He said the proposed ordinance would create a redundancy of inspections, and BHA already undergoes HUD inspections and internal inspections done by BHA. Mr. Kochman said he was the reason the issue of conflict of interest was raised by BHA executive director Chip Castle at last week's meeting, and he wanted to take responsibility for that off of Mr. Castle.

There was discussion about whether the inspectors used by HUD are qualified and how many units are inspected by HUD during each inspection. Linda Long, a member of the BHA board and a resident at Tilden House, said she has been inspected by HUD three times in the six years she has lived in the building. Ms. Long said the inspections have been very thorough. She said the BHA annual inspections are just as thorough.

There was discussion about whether the inspectors used by BHA are qualified, differences in standards between HUD and Barre City inspections, registration fees paid by owners of Section 8 rental units, how Highgate Apartments is handled with regards to registration fees and inspections, how often rental units in Barre City are inspected, and inspection of convalescent homes.

Mr. Halpert said he hasn't heard anything today that would change his opinion that the City has the authority to charge BHA the registration fee. He said there is legal basis for charging similar fees to similarly situated rental facilities. He said he and Mr. Kochman disagree on the interpretation of the statutes, and he disagrees with any claims of discrimination.

Mayor Lauzon polled City staff and asked if it is their recommendation that Council advance the ordinance for a fourth reading. Mr. Miller, Zoning Administrator Janet Shatney, Chief Bombardier and Capt. Cetin gave informal assent.

Mr. Miller said the ordinance removes the distinction between registration and inspection fees, the inspection exemption has been eliminated, and all fees are set by Council.

There was discussion about changing the fee schedule to reflect the changes in the proposed ordinance. Mayor Lauzon asked Clerk Dawes to draft a proposed fee schedule revision for consideration at next

week's meeting.

Councilor Poirier proposed a friendly amendment to the motion to make it clear that next week will be a formal third reading and the ordinance includes BHA properties. Mayor Lauzon said such an amendment was not necessary as it is inherent in the original motion. Councilor Poirier withdrew his amendment.

Property owner John Clark asked a question about the section of the proposed ordinance language that states all units must be heated. There was discussion about the difference between a landlord providing a heating appliance and a landlord providing heat. It was recommended by Mayor Lauzon that Sec. 7-20 of the ordinance be amended to read "adequate heating appliance must be provided..." Mr. Clark asked about changing the language to allow for battery operated smoke detectors in lieu of hard wired. No action was taken.

Alderman Boutin amended his motion to include the Mayor's recommended revision to Sec. 7-20, with seconder Councilor Smith agreeing to the amendment. Council voted on the motion as amended.

Motion carried.

Mayor Lauzon said it will not be necessary for Mr. Halpert to attend next week's fourth reading, and the Mayor will not be interested in taking redundant testimony at next week's meeting.

Mayor Lauzon closed the public hearing at 9:32 PM.

Other) –

Mayor Lauzon said the Council has collected toys and about \$3,000 to date for the Christmas for Kids program. The Mayor said additional donations still coming in.

Round Table –

Councilor Dindo said there is a bike path meeting tomorrow evening. He said recent police reports show a number of break-ins and he reminded people to lock their vehicles and homes.

Alderman Boutin said Toy Joy is accepting donations of new and slightly used toys to be given away during the holidays.

Mayor Lauzon said the City will host breakfast with Santa this Saturday morning at Alumni Hall. The Mayor said he will be running for re-election in March.

Councilor Poirier asked for an update on the paint at the BOR. Manager Mackenzie said there are two areas of peeling paint following the mold remediation. The areas have had plastic applied over them and will be addressed in the summer. Councilor Poirier asked for an update on the Whitcomb Paving lawsuit. Manager Mackenzie said it hasn't gone any further, but may after the first of the year.

The Council meeting adjourned at 9:40 PM on motion of Councilor Smith, seconded by Councilor Herring. **Motion carried.**

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

Respectfully submitted,

Carolyn S. Dawes, City Clerk