

**Special Meeting of the Barre City Council
Held April 26, 2016**

The Special Meeting of the Barre City Council was called to order by Mayor Thomas Lauzon at 6:00 PM at Barre City municipal swimming pool. In attendance were: From Ward II, Councilors Michael Boutin and Michael Smith; and from Ward III, Councilors Anita Chadderton and Lucas Herring. Also present were City Manager Steven Mackenzie, Buildings & Community Services Director Jeff Bergeron and BCS - Recreation Director Stephanie Quaranta.

Absent: From Ward 1, Councilors Charles Dindo and Paul Poirier.

Mr. Bergeron led a tour of the pool facilities including the underground mechanical vault.

The special Council meeting adjourned at 6:40 PM.

There is no audio recording of the special meeting.

**Regular Meeting of the Barre City Council
Held April 26, 2016**

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, Councilors Michael Boutin and Michael Smith; and from Ward III, Councilors Anita Chadderton and Lucas Herring. Also present were City Manager Steven Mackenzie and Clerk/Treasurer Carolyn Dawes.

Absent: NONE

Adjustments to the Agenda: Mayor Lauzon said he will be adjusting the agenda to accommodate those in attendance.

Approval of Consent Agenda:

Council approved the following consent agenda items on motion of Councilor Chadderton, seconded by Councilor Herring. **Motion carried.**

- Minutes of the following meetings:
 - Special meeting on April 19, 2016
 - Regular meeting on April 19, 2016
- City Warrants as presented: week 2016-17.
 - Accounts Payable: \$115,141.43
 - Payroll (gross): \$107,688.44
- Licenses & Permits: NONE

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

- Green- up bags are available in the Clerk's office.
- Fourth quarter taxes are due by May 16th, as the 15th is a Sunday.
- Sylvie Rivard has started as the new delinquent collections clerk.

Approval of Building Permits – Council approved the following building permits on motion of Councilor Chadderton, seconded by Councilor Dindo. **Motion carried.**

<u>Applicant</u>	<u>Address</u>
Susan Arguin	1 Harold St.
Roger & Lorraine Bisson	8 School St.

Liquor Control – Lisa Copeland addressed the Council regarding the renewal of the liquor license for Jerry’s Sports Tavern. Ms. Copeland said she and her husband were at the establishment the night of the incident that’s under investigation. Her husband was injured during the incident and remains in the intensive care unit in Burlington. She said the City failed in preserving public safety and protecting the community and asked that the Council not renew the liquor license until the investigation is complete.

Councilor Dindo said Jerry’s Sports Tavern was cited by DLC in 2014 for serving someone who was intoxicated. Chief Bombardier said the City has no ordinance mechanism in place for denial of the renewal, as required by Title 7 of the Vermont Statutes Annotated. The police department has responded to two incidents this year, and in the first incident both parties were cited into court.

There was discussion about the investigative role played by the local police and the Vermont Department of Liquor Control, statutory language in Title 7, adopting ordinance language that would give the local liquor control commission authority to revoke, suspend or withhold renewal of licenses. Chief Bombardier said he is drafting such language and will share it with Council later this week. It will be placed on next week’s agenda for a first reading.

Clerk Dawes reviewed her discussion with City Attorney Oliver Twombly, and said they concur that under the current circumstances, the license should be renewed.

Council approved the renewal of the 1st class liquor license for Jerry’s Sports Tavern at 30 Summer Street on motion of Councilor Herring, seconded by Councilor Dindo. **Motion carried with Mayor Lauzon and Councilors Dindo, Smith and Herring voting for, Councilors Chadderton and Poirier voting against, and Councilor Boutin abstaining.**

City Manager’s Report – Manager Mackenzie reported on the following:

- The spring lawn waste disposal schedule is posted on the website.
- Reactivating the Traffic Advisory Committee, which is scheduled to hold its first meeting in May.
- Problems with Elm Street traffic signals have been corrected.

Visitors & Communications – NONE

New Business –

C) Brusa Trust Funds Allocation for Highgate Youth Program.

F) Get Thee to the Funnery.

Claire Green, a Cabot school teacher, said she has run a Shakespeare program at Highgate each summer for the last five years. In addition to theater, the program also offers other arts including dance, music and studio arts. In the past they have received funding support from the Vermont Community Foundation, but that funding is not available this year. Ms. Green requested \$5,000 from the Brusa Trust, which will allow for approximately 3 weeks of programming this summer. There was discussion on other funding options, creating a sustainable model for the program, and possible expansion of participants.

Council approved appropriating \$5,000 from the Brusa Trust on motion of Councilor Poirier, seconded by Councilor Herring. **Motion carried.**

B) Warned Hearing 7:15: Second Reading and Public Hearing Ordinance #2015-04 Chapter 3. Animals and Fowl.

Mayor Lauzon opened the 2nd reading and public hearing at 7:25 PM. Councilor Dindo said he was

insulted that John LePage called him a liar regarding his comments on realtors' opinions related to the impact chickens have on real estate prices. Mayor Lauzon said Councilor Dindo is out of line.

Mayor Lauzon reviewed the history of the ordinance revisions under consideration. The Mayor said if the community wants to consider the question of allowing chickens in the City or not, they can petition to place a question on the August primary or November general election ballot. There was discussion about the proposed 10 foot property line setback requirement, conditions of chicken coops throughout the City, enforcement for odor and other complaints, discrimination against duck owners, addressing free range birds, addressing setbacks from structures other than residences, and respecting the outcome of the ballot question voted at the March Annual (Town) Meeting.

Mayor Lauzon asked if there were any other public comments or questions. Hearing none, the public hearing closed at 8:15 PM.

Council approved the 2nd reading and public hearing, and ordinance revision #2015-04 on motion of Councilor Herring, seconded by Councilor Chadderton. **Motion carried with Councilors Dindo, Boutin and Poirier voting against.**

Clerk Dawes said the ordinance revisions will be published in the newspaper this weekend and will go into effect twenty days thereafter, as per charter.

Old Business –

A) Civic Center Use Policy.

Civic Center Committee chair Brad Ormsby reviewed the draft policy which proposes to offer a 50% reduction in all fees to a limited number of non-profit organizations during the course of a year. Mr. Ormsby said the committee unanimously supports the current flat rate fee structure and feels it's fair to all renters. Mayor Lauzon asked Mr. Ormsby for the committee's recommendation. Mr. Ormsby said the committee recommends not adopting the policy.

Councilor Chadderton made the motion to approve the policy, seconded by Councilor Herring.

There was discussion on staffing requirements at the civic center, use of volunteers to do work, and respecting the opinions of the committee.

Councilor Boutin made the motion to call the question, seconded by Councilor Smith. **Motion carried with Councilors Chadderton and Poirier voting against.**

Council voted on motion as originally presented. **Motion did not carry with Councilor Chadderton voting for, and Mayor Lauzon and Councilors Boutin, Dindo, Smith, Herring and Poirier voting against.**

New Business – continued

A) Adoption of the LEOP.

Chief Bombardier said the Council needs to adopt the local emergency operations plan and reaffirm adoption of the National Incident Management System. The Chief said there are no significant changes over the previous versions with the exception of a few corrections and contact changes. He said the plan now includes a list of registered daycares and tier 2 reporting agencies. Mayor Lauzon asked that a link to the plan be placed on the City website.

Council adopted the LEOP and reaffirmed adoption of the NIMS on motion of Councilor Chadderton, seconded by Councilor Dindo. **Motion carried.**

Old Business, continued –

A) Authorization of B.O.R. Ceiling paint contract with Dunham Brothers.

Mayor Lauzon reviewed the history of the painting and the contract with Dunham Brothers. The Mayor said Dunham Brothers has received approximately \$9,500 for work done to date, and the total contract amount is just over \$121,000. There was discussion about the source of the balance of the funds needed, additional work needed on the end and side walls, restitution from the previous contractor and possible litigation against the same, and the need for an expert to take samples before new sandblasting begins.

Council approved the contract and authorized the Manager to sign on behalf of the City on motion of Councilor Boutin, seconded by Councilor Dindo. **Motion carried.**

Councilor Poirier left at 8:40 PM at the beginning of the following agenda item.

New Business – continued

D) 3rd Quarter General Fund Budget Update.

Manager Mackenzie reviewed his update draft and said the projected year end fund balance is six figures. He will present another update after mid-May.

E) Warn June 1st Ward One Caucus.

Council approved the warning for the ward caucus on motion of Councilor Herring, seconded by Councilor Dindo. **Motion carried.**

Round Table –

Councilor Herring reminded everyone that May 7th is Green Up Day and May 8th is Mother's Day. He asked that the Traffic Advisory Committee consider the Berlin Street/North Main Street intersection.

Executive Session -

Councilor Chadderton made the motion to find that premature general public knowledge of contract and personnel issues to be discussed would clearly place the City of Barre at a substantial disadvantage should the discussion be public. The motion was seconded by Councilor Herring. **Motion carried.**

Council went into executive session at 8:50 PM to discuss contract and personnel issues under the provisions of 1 VSA sec. 313 on motion of Councilor Boutin, seconded by Councilor Herring. **Motion carried.**

Manager Mackenzie, Chief Bombardier and City Labor Attorney Scott Cameron were invited into the executive session.

Council came out of executive session at 9:50 PM on motion of Councilor Herring, seconded by Councilor Smith. **Motion carried.**

The Council meeting adjourned at 9:50 PM on motion of Councilor Herring, seconded by Councilor Smith. **Motion carried.**

An audio recording of this meeting is available from the City Clerk.

Respectfully submitted,

Carolyn S. Dawes, City Clerk