

SPECIAL COUNCIL MEETING
Tuesday, August 15, 2023 5:30PM

Council Chambers or Zoom

<https://us06web.zoom.us/j/88982525535?pwd=VzIXOU5taldoYkgySUdTcldqSUVGQT09>

Meeting ID: 889 8252 5535 Passcode: 675736

One tap mobile: 929-205-6099

Page Item

1. Call to Order – 5:30 pm
2. Adjustments to the Agenda
3. Visitors and Communication
4. Consent Agenda
 - A. Approval of Minutes
3.
 - i. Regular City Council Meeting of Tuesday August 8, 2023
 - B. City Warrants
 - i. Approval of City Warrants from Week of August 16, 2023
 - C. Clerk’s Office Licenses and Permits
 - D. Authorize the Manager to execute contract(s)
5. City Clerk & Treasurer Report
6. Liquor/Cannabis Control Boards
7. City Manager’s Report
8. New Business
 - A. Approval of FY24 municipal and local agreement tax rates (clerk)
9. Upcoming Business
10. Round Table
11. Executive Session – As Needed
12. Adjourn

The next meeting of the City Council is scheduled for Tuesday 29, 2023.

The portion of this meeting starting at 7:00pm will be taped for re-broadcast on Channel 192 CVTV and will be re-broadcast on Wednesday at 9:00 a.m. and 12:00 noon CVTV Link for meetings online – cvtv723.org/

OTHER MEETINGS AND EVENTS

Weds. Aug. 16

Transportation & Public Works Council Chambers 6:30 PM

Ground Rules for Interaction with each other, staff, and the general public

- Rules may be reviewed periodically
- Practice mutual respect
 - Assume good intent and explain impact
 - Ask clarifying questions
 - If off course, interrupt and redirect
- Think, then A.C.T.
 - Alternatives – Identify all choices
 - Consequences – Project outcomes
 - Tell your story – Prepare your defense
- Ethics checks
 - Is it legal?
 - Is it in scope (Charter, ordinance, policy)?
 - Is it balanced?
- “ELMO” – Enough, Let’s Move On
 - Honor time limits
 - Be attentive, not repetitive
- Be open-minded to different solutions or ideas
 - Remarks must be relevant and appropriate to the discussion; stay on subject
 - Don’t leave with “silent disagreement”
 - Decisions agreed on by consensus when possible, majority when necessary
 - All decisions of Council are final
- No blame
 - Articulate expectations of each other
 - We all deeply care about the City in our own way
 - Debate issues, not personalities
- Electronics
 - No texting, email, or videogames during the meeting

**Regular Meeting of the Barre City Council
Held August 8, 2023**

The Regular Meeting of the Barre City Council was called to order in person and via video platform by Mayor Jake Hemmerick at 5:30 PM at Barre City Hall, Barre, Vermont. In attendance in person or virtually were: From Ward I, Councilors Emel Cambel and Thom Lauzon; from Ward II, Councilors Michael Boutin and Teddy Waszazak; and from Ward III, Councilors Michael Deering and Samn Stockwell. City staff members present were City Manager Nicolas Storrellicastro, Assistant City Manager Dawn Monahan, Planning Director Janet Shatney, Police Chief Brad Vail, Fire Chief Keith Cushman, Deputy Fire Chief Joe Aldsworth, Buildings and Community Services Director Jeff Bergeron, BCS Assistant Director Stephanie Quaranta, Public Works Director Brian Baker, Human Resources Director Rikk Taft, and Clerk/Treasurer Carol Dawes.

Absent: NONE

Others Present: NONE

Adjustments to the Agenda:

- Add a discussion under new business on the Mayor's demolition proclamation issued July 31, 2023.
- Move separation of the Cemeteries, Recreation & Conservation Committee from new business to the consent agenda.

Recognitions –

A) Logan Cross, Eagle Scout, for building 3 ADA picnic tables for Currier Park.

Logan Cross said his Eagle Scout project was to build three ADA-compliant picnic tables for Currier Park. He said his uncle was a wheelchair user, and these tables are dedicated to his memory. Those in attendance offered their appreciation and a round of applause for his gifts to the community.

B) Barre Youth Baseball 8-10 All-Star Team for finishing 3rd in the State Tournament.

Barre Youth Baseball president and coach Jordan Bergeron introduced the team members and coaches, and noted they were the district 4 champions, and finished third in the state-wide tournament. The team received tremendous support from the community in the face of the recent flooding. Those in attendance offered a standing ovation in congratulations of a winning season.

Visitors and Communications –

Ellen Kaye read a statement acknowledging the work done over the last four weeks by the extraordinary teams of volunteers helping the community with post-flood recovery. Ms. Kaye noted Rainbow Bridge Community Center's dedication to serving as a mutual aid hub in spite of having no access to bathrooms or electricity. Volunteer coordination is available in City Hall Park weekdays from 11:00 AM – 4:00 PM, and on the Aldrich Library lawn Saturdays from 10:00 AM – 2:00 PM.

Approval of Consent Agenda:

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

- A. Approval of Minutes:
 - i. Regular meeting of July 25, 2023.
- B. City Warrants as presented:
 1. Ratification of Week 2023-31, dated August 2, 2023
 - i. Accounts Payable: \$270,200.54
 - ii. Payroll (gross): \$144,242.92.0

2. Approval of Week 2023-32, dated August 9, 2023:
 - i. Accounts Payable: \$446,227.48
 - ii. Payroll (gross): \$140,635.91
- C. 2023 Clerk's Office Licenses & Permits:
 - i. Entertainment Licenses:
 - i. Pearl Street Pizza, Barre Biergarten flood fundraiser, Pearl Street Pedway, August 19th from 2 8 PM.
- D. Acknowledgement of 2023 Reappraisal Order from Property Valuation and Review.
- E. Accept the resignation of City Attorney Oliver Twombly and appoint Stitzel, Page & Fletcher PC as the City Attorney with David Rugh as the primary firm contact.
- F. Change the name of the Diversity & Equity Committee to the Justice, Diversity, Equity, Inclusion & Belonging Committee.
- G. Authorize the Manager to execute contract(s):
 - i. Dufresne Group – Merchant Street/Maple Avenue reconstruction
- H. Separate the Cemeteries, Recreation & Conservation Committee into a Cemeteries Committee and a Recreation & Parks Committee. (moved from new business)

City Clerk & Treasurer Report –

City Clerk/Treasurer Carol Dawes reported on the following:

- Flood donations of \$1,926 have been received to date, in addition to the \$5,000 of store credit donated by Walmart.
- Received the latest opioid settlement payment bringing the total received to just over \$51,000. The project total receipts is \$155,000 between now and July 2038.

Liquor Control Board/Cannabis Control Board – Council approved a temporary expansion of the Pearl Street Pizza outside consumption permit for the August 19th flood fundraiser on motion of Councilor Stockwell, seconded by Councilor Waszazak. **Motion carried with Councilor Boutin abstaining.**

City Manager's Report –

Manager Storellicastro reported on the following:

- Merger of the Eastman and Cow Pasture properties has been finalized.
- Received the sun screen dispenser grant, and installed the dispenser at the municipal pool.

New Business –

A) Revision of Property Tax Due Dates for FY24.

Clerk Dawes reviewed her memo and the need to revise the property tax due dates again. The Clerk said the grand list will be lodged early next week, and there will need to be a special Council meeting on Tuesday, August 15th, to set the municipal and local agreement tax rates. The tax bills will be in the mail by the end of August, and taxpayers need at least 30 days between the mailing date and first due date.

The Clerk recommended Council approve the following tax installment due dates for FY24:

- October 2, 2023 (as September 30, 2023 falls on a Saturday)
- November 15, 2023
- February 15, 2024
- May 15, 2024

Council approved the revised dates as recommended on motion of Councilor Deering, seconded by Councilor Cambel. **Motion carried.**

B) Separate the Cemeteries, Recreation & Conservation Committee into a Cemeteries Committee and a Recreation & Parks Committee.

This item was approved as part of the consent agenda.

C) Act on pending ARPA Community Innovation Fund awards.

Manager Storellicastro reviewed the list of ARPA innovation fund requests, and noted at a previous meeting Council had referenced possibly deferring these allocations while in flood recovery. The Manager suggested Council either award the innovation funds, postpone funding decisions, or cancel the program. There was discussion on postponing funding decisions, changing the focus of the program to reflect post-flood needs, and including discussion of the program in budget preparations for FY25.

Ellen Kaye asked about the ARPA timeline. It was noted funds are to be obligated by December 31, 2024, however, funds may be transferred to the general fund, at which point there would be no timeline.

Kat Allen asked if ARPA funds can earn interest, and it was noted they can and are doing so.

Council approved postponing allocation of the ARPA community innovation funds, to be reviewed when starting the FY25 budget process, on motion of Councilor Lauzon, seconded by Councilor Boutin.

Motion carried with Councilor Waszazak voting against.

D) Set water and sewer rates for FY24.

Manager Storellicastro reviewed the proposed rate adjustments, and the current status of the enterprise funds. It was noted all users are charged the same rates, regardless of location in Barre City or Barre Town. There was discussion on whether the increased funds are available for operational or capital uses. Assistant Manager Dawn Monahan said funds received through usage fees are designated for operations. There was discussion on capital needs and funding, improving record keeping and incorporation of GIS mapping, and working on wastewater treatment facility upgrades. Public Works Director Brian Baker said a 20-year review of the WWTF is currently being conducted, and the resulting report will make recommendations for needed improvements, and changes in the rate structure with Barre Town.

There was discussion on impact fees, developing a storm water fee structure, legal precedent for relationships between neighboring communities served by the same water/wastewater systems, and whether there should be different rates for residential and commercial users.

Council approved resolution #2023-09, setting new rates to go into effect with the September 1, 2023 billing cycle, on motion of councilor Lauzon, seconded by Councilor Deering. **Motion carried with Mayor Hemmerick voting against.**

E) Flood Recovery Updates.

Manager Storellicastro gave a PowerPoint update on flood-related recovery efforts including:

- Public property and streets damage
- Debris pick-up & household hazardous waste drop-off
- Landslide risks
- Assessment of damage to residential homes
- Services available to renters
- Red Cross shelter closed 8/4/23, and relief organizations and FEMA presence at auditorium
- Volunteer opportunities
- Relief for homeowners
- Flood-related information on City website

The Manager noted paving on N. Main Street has been completed, and the street is open to through traffic again. Substantial damage assessments are being conducted in accordance with FEMA guidelines, and the City is working to bring in additional contractors, plumbers, and electricians to assist with repairs. There was discussion on the green/yellow/red tag system used to denote a property's current status, and how those numbers change as buildings are repaired. City departments and service agencies are collecting data on numbers of people displaced and numbers of housing units affected. Deputy Fire Chief Joe Aldsworth said people are encouraged to call 211 to register their damage to assist with data collection and providing assistance. Current estimates are 200-400 people impacted. Councilor Waszazak said a long-term food plan goes into effect this week, and is being managed by Capstone.

Bernadette Rose asked how people can find out if debris pick-up has covered their area yet. BCS director Jeff Bergeron said the contractor is making at least two rounds of the City collecting debris left on peoples' front lawns. Where the contractor's trucks are too big for the street, the City is dispatching volunteers to do the pick-up. Tenants should report any landlord under-response to Code Enforcement at the Fire Department.

Former Mayor Lucas Herring said the Barre Lions Club will be distributing clothing, water, toiletries, and household cleaning supplies this coming Friday, Saturday and Sunday at Tatro's Aces near the Bond Field in Barre Town.

Ellen Kaye said there will be a free goods swap at the Aldrich Library on August 17th and 18th, featuring household goods and supplies. Ms. Kaye asked about those who were housed as part of the motel voucher program, and noted many of them were displaced by the flooding. Deputy Fire Chief Joe Aldsworth said the City is actively engaged with the VT Agency of Human Services, VT Economic Services, and Good Samaritan Haven to identify housing relocation options.

There was discussion on children displaced by the flood being able to attend their usual school, access to City-provided dumpsters along Merchant's Row, and gathering data on the number of volunteers and the work they've been doing.

Manager Storrellicastro said the City has taken actions to provide relief to residents facing substantial flood damage including waiver of building and flood hazard permit fees. The Manager said Council could consider a similar waiver for electrical permits. Planning Director Janet Shatney noted the City issues electrical permits for single family homes, with all other electrical permits going through the state. Any waiver of permit fees would be applicable to those permits issued by the City.

Council approved suspending electrical permit fees for residents making flood-related repairs with the waiver period ending upon two weeks' notice from the City Manager, and authorized the City to refund any such fees paid since the July 10, 2023 flooding event, on motion of Councilor Lauzon, seconded by Councilor Boutin. **Motion carried.**

There was discussion on changes to building codes, requirements to re-build in the flood area, people walking away from their heavily damaged properties, getting creative with solutions, reviewing and possibly expanding use of trash racks and stream upgrades, and researching use of impervious pavement.

Kat Allen said she lives near two lots that were purchased through the FEMA buyout program following flooding in 2011, and noted such lots are ineligible for redevelopment in the future. Ms. Allen asked what areas might be eligible for FEMA buyouts following this most recent flooding. There was discussion on the limitations of the buyout programs, how to rebuild, smart construction, the possible creation of a state buyout program that would allow for redevelopment, and evaluating spaces that might be better left undeveloped in the future to let water move through the areas.

Planning Director Janet Shatney said the City will engage with the Vermont Economic Resiliency Initiative to review ways to protect people and property. Similar work was done with VERI following the 2015 flood.

Brian Baker said he toured the City last week with various experts on land stabilization to review the active landslides and review possible remediation measures. There was discussion on the impact on Barre City from development in the surrounding communities, reviewing water and sewer extensions that serve new development outside the City, who is responsible for maintaining and repairing waterways that run through the City, and funding options for repairs and maintenance.

Amy Galford said there should be a review of hardscape in the Berlin Street area, and use of impervious pavement where possible including the recreation path.

i. Trestle Update.

Rep. Peter Anthony reviewed his memo on the railroad trestle behind Cumberland Farms on N. Main Street, which is supported by pilings driven into the river bed. Rep. Anthony noted the pilings catch debris, which exacerbates river back-ups and flooding. He introduced a bill in the legislature on 2020 to have the VT Agency of Transportation evaluate the trestle for possible removal or reconstruction. Due to COVID the bill was put on hold. Rep. Anthony has been working with Vermont Emergency Management to review the trestle, and VEM has reached out to Central Vermont Regional Planning Commission about grant funds available to work on the trestle project. AOT has indicated they will manage any grant funds.

Rep. Anthony said another issue in the neighborhood is the Berlin Street bridge, which isn't a truss bridge. The current construction reduces clearance from the river by 5-6 feet, which exacerbates debris back-up during flooding events. This is in addition to the rise of the stream bed over time due to silt accumulation. Rep. Anthony said there needs to be a multi-faceted conversation between AOT, VEM and the Department of Environmental Conservation to review riparian behavior in that neighborhood.

Added) Mayoral Demolishment Proclamation.

Mayor Hemmerick said the proclamation issued by him and Emergency Management Director/Fire Chief Keith Cushman on July 31, 2023, imposes a temporary moratorium on demolitions while the City is still under the declared state of emergency. The Mayor said he wants to be sure the City is maintaining homes that can be repaired. He noted the homelessness crisis and housing shortage, and said there are opportunities to loosen restrictions and update ordinances to make it easier for people to build back smarter. There was discussion on the state of emergency declaration, addressing situations where people can't demolish but won't repair their buildings, where is funding coming from to make repairs, using this temporary measure to get better data on housing impacts, and noting the impacts on the grand list and City services.

Upcoming Business –

- Special council meeting on August 15th to set the tax rates.
- Requirement to re-bid paving to qualify for FEMA reimbursement – new contract to be approved at a future Council meeting.
- Downstreet discussion on purchase of local motel for housing, scheduled for August 29th meeting.

Round Table –

Councilor Deering said he has 114 kids signed up for youth football, and looks forward to starting practices.

To be approved at 08/15/23 Barre City Council Meeting

Councilor Lauzon said he is engaged in conversations around housing, and will be visiting a contractor that builds pre-fab housing units as a possible quick action to take. He recommended Council engage in conversations around buyouts and development over the next several weeks.

Mayor Hemmerick said the Vermont Realtor Association and the Red Cross have funding available to assist residents impacted by the flooding.

Executive Session – Councilor Waszazak made the motion to find that premature general public knowledge of personnel issues and professional services contracts would clearly place the City of Barre at a substantial disadvantage should the discussions be public. The motion was seconded by Councilor Stockwell. **Motion carried.**

Council went into executive session at 8:23 PM to discuss personnel issues and professional services contracts under the provisions of 1 VSA § 313 on motion of Councilor Boutin, seconded by Councilor Lauzon. Manager Storellicastro was invited into the executive session. **Motion carried.**

Council came out of executive session at 8:43 PM on motion of Councilor Waszazak, seconded by Councilor Stockwell. **Motion carried.**

No action was taken.

Mayor Hemmerick noted there will be a joint hearing with the Senate Economic Development, Housing & General Affairs Committee on August 15th regarding recovery legislation. The Mayor and Councilor Lauzon said they plan on attending.

The meeting adjourned at 8:44 PM on motion of Councilor Lauzon, seconded by Councilor Waszazak. **Motion carried.**

The open portions of the meeting were recorded on the video platform.

Respectfully submitted,

Carolyn S. Dawes, City Clerk