

**CITY OF ESSEX JUNCTION
CITY COUNCIL
MINUTES OF MEETING
November 9, 2022**

COUNCILORS PRESENT: Andrew Brown, President; Raj Chawla, Vice President; Dan Kerin; Amber Thibeault; George Tyler.

ADMINISTRATION: Regina Mahony, City Manager; Sam Anderson, Greater Burlington Industrial Corporation; Charlie Baker, Executive Director, Chittenden County Regional Planning Commission; Chris Gaboriault, Fire Chief; Wendy Hysko, Library Director; Brad Luck, Director of Recreation & Parks.

OTHERS PRESENT: Mark Bristlin, Danielle Brown, Bob Burrows, Kevin Collins, Annie Cooper, Elaine Haney, Tim Miller, Sharon Willie Padnos, Jason Struthers, Jess Wisloski.

1. CALL TO ORDER

Councilor Brown called the meeting to order at 6:47 P.M.

2. AGENDA ADDITIONS/CHANGES

None.

3. APPROVE AGENDA

None needed, as no agenda changes were proposed.

4. PUBLIC TO BE HEARD

a. Comments from public on items not on the agenda

Annie Cooper spoke about a discussion on Facebook in which an Essex Junction resident said they were charged a fee for a City Halloween event and that she was turned away from the event because she did not pay the fee. Ms. Cooper said that from her perspective, this raises an equity concern. She said that four weeks prior to that event, the City gave each resident \$15 in vouchers for the Junction Jam event. She suggested that the Halloween event be free so that each resident is able to attend. She asked whether it would be possible to develop a flow chart to show how the City government works, department by department, to educate residents. Councilor Brown replied that this is great feedback regarding how the Council can conduct broader education to the community on the role of the Council and staff. He said that there is also ample opportunity for the City Council to discuss equity issues in the future, acknowledging that they have not had discussions around equity for some time.

Jessica Wisloski said that she is the resident in question in Ms. Cooper's comment. She spoke about how active she has been in the community over the past number of years and that she has been very supportive of various departments and programs. She expressed frustration about the lack of communication around fees for the Halloween event and questioned why the City is charging fees for community events.

5. BUSINESS ITEMS

a. GBIC Presentation

Sam Anderson spoke on behalf of the Greater Burlington Industrial Corporation (GBIC). She spoke about the support that GBIC provides to its membership around the Burlington area, noting that they have expanded their membership to other types of commercial businesses over the course of the Covid-19 pandemic. She said that GBIC is requesting an appropriation from the City of Essex Junction of \$7,500 for Fiscal Year 2024.

53 She spoke briefly about GBIC's history and mission, noting that it is one of 12 regional development
54 corporations that exist around Vermont. She said that it was formed in 1954 and serves Chittenden
55 County.

56
57 b. Conversation with Fire Chief Chris Gaboriault

58 Chief Gaboriault provided an update on the Fire Department. He spoke about staffing, noting that the
59 Department currently has 8 line officers, 24 firefighters/EMTs, 1 fire police position, 1 dispatcher, and
60 the potential to add 2 more positions. He spoke about call volumes, which have remained consistent
61 over the last several years. He said that they receive around 500-550 calls per year, which are split
62 around 40%/60% between emergency medical services and fire. He said that in the last year, the
63 department received an AEMT certification and license, which allows it to provide a higher level of
64 intervention, and that they plan to go live with this on January 1, 2023. Councilor Brown asked if this
65 AEMT license is complementary to Essex Rescue. Chief Gaboriault replied that they provide
66 complementary services to each other, and one will respond to a call if the other is currently occupied,
67 but he noted that the Fire Department does not have the staff or scope to run an ambulance. He said
68 that the AEMT license ensures that they are able to perform a number of medical interventions until an
69 ambulance is available. He spoke briefly about equipment upgrades at the Fire Department, including
70 converting much of their equipment from gas-powered to battery-operated.

71
72 c. Discussion and consideration of miscellaneous Municipal Ordinance issues

73 City Manager Mahony said that when the Trustees adopted a new public nuisance ordinance in
74 September 2021, it made many parts of other current ordinances redundant. She said that the intent of
75 this effort is to rescind a number of other ordinances. She said that the recommendation is to warn a
76 public hearing around those changes for December 14, 2022. She noted that other miscellaneous
77 ordinance issues have arisen over the last number of months, including issues around the smell from
78 cannabis operations, ducks, and unregistered vehicles. She recommended that the City does not have
79 the capacity to revise ordinances around those issues yet, but that staff would like to research them
80 further to make ordinance changes in the future.

81
82 **GEORGE TYLER made a motion, and RAJ CHAWLA seconded, that the City Council warn a**
83 **public hearing on December 14th at 6:30 pm for the following changes to the Essex Junction**
84 **Municipal Ordinances:**

- 85
86 • **Rescind *Chapter 6: Regulation of Soliciting, Chapter 7: Noise Ordinance, Chapter 10:***
87 ***Regulations of Public Indecency, and Chapter 13: Regulations of Public Nuisance* in their**
88 **entirety;**
89 • **Amend *Chapter 9: Enforcement* by deleting reference to Chapters 6, 10, and 13; and**
90 • **Amend *Chapter 16: Ordinance Prohibiting Graffiti, Defacement of Property and Placing***
91 ***Substances in Public Fountains* by rescinding Sections 1601 and 1602.**

92
93 **The motion passed 5-0.**

94
95 Councilor Chawla said that in terms of asking staff to prioritize additional items for ordinance updates,
96 he would like the City Council to get together and determine what other outstanding items need to be
97 worked on and prioritized by the Council and staff. Councilor Brown agreed, saying that having a
98 strategic planning conversation will be valuable in future budgetary conversations.

99
100 Jason Struthers noted that he did not request amending the chicken ordinance but sought an exemption
101 for his ducks. He said that he hasn't received any complaints regarding cannabis, noting that he has the

City's only craft cannabis commercial cultivation operation but hasn't had any complaints related to cannabis and smell.

Sharon Wille Padnos said that she has spoken with Mr. Struthers about his ducks and the cannabis smells and that she is not the only complainant. She said that she is not able to use her patio and porch in the summer months due to the smell. She suggested that the Council conduct some canvassing of other residents in the neighborhood about these issues.

Steven Wille Padnos said that Mr. Struthers has been growing cannabis for several years and has had around 20-30 plants this past summer and has 14-15 ducks. He said that the duck and cannabis smells are overwhelming at some points in the year. He spoke about concerns with water runoff pooling around the yards.

Councilor Brown said that given the staffing vacancy for a Community Development Director, he would not be in support of prioritizing these issues for ordinance modifications currently.

d. *Discussion and consideration of Tree Farm Management
See item #8a.

e. **Discussion and consideration of Contracts that are Exempt from Public Records Laws
See item #8a.

f. ***Discussion and consideration of Contracts that are Exempt from Public Records Laws
See item #8a.

g. Chittenden County Regional Planning Commission Presentation
Charlie Baker, Executive Director of the Chittenden County Regional Planning Commission (CCRPC), spoke briefly about the CCRPC's annual report. He spoke about some of the projects the CCRPC has engaged in with the Junction over the last year (including the amendment of the Junction's bylaws), what projects are being worked on during the current year, and the activities that the CCRPC has conducted with other communities in the region.

Councilor Brown thanked Mr. Baker for the collaborative relationship between the Junction and CCRPC. He said that it may be beneficial to engage with CCRPC on the topic of equity in the near future and leverage any work that has already been done by CCRPC in this area.

6. **CONSENT AGENDA**

- a. Check warrants: #17326 (10/26/2022); #17327 (10/28/2022); #17328 (11/04/2022)
- b. Approve Minutes: October 26, 2022

RAJ CHAWLA made a motion, seconded by GEORGE TYLER, to approve the consent agenda. The motion passed 5-0.

7. **READING FILE**

- a. Board Member comments: Councilor Brown thanked everyone who volunteered at the polls yesterday. Councilor Tyler thanked staff for the pavement analysis map and would like to discuss it further in the context of the budget.
- b. Pavement Analysis map and average rating
- c. Pumpkin Palooza Update
- d. Joint Housing Committee Minutes: October 19, 2022

e. Bike/Walk Advisory Committee Minutes: October 24, 2022

8. **EXECUTIVE SESSION:**

a. *An executive session may be needed to discuss negotiating or securing real estate purchase or lease options

ANDREW BROWN made a motion, and RAJ CHAWLA seconded, that premature general public knowledge regarding contracts associated with the Tree Farm Recreation Facility would clearly place the City at a substantial disadvantage because the Council risks disclosing its negotiation strategy if it discusses the contract terms in public. He further moved that the City Council go into executive session to discuss contracts under the provisions of Title 1, Section 313(a)(1) of the Vermont Statutes and to negotiate or secure real estate purchase or lease options under Title 1, Section 313(a)(2) of the Vermont Statutes, and include Regina Mahony, Brad Luck, and Harlan Smith. He further moved that the City Council make the specific finding that general public knowledge of contracts would place the City at a substantial disadvantage. He further moved that the City Council enter into executive session to discuss contracts, pursuant to 1 V.S.A. § 313(a)(1)(A), to include the City Council, City Manager, and Water Quality Superintendent. He further moved that the City Council make the specific finding that general public knowledge of contracts would place the City at a substantial disadvantage. He further moved that the City Council enter into executive session to discuss contracts, pursuant to 1 V.S.A. § 313(a)(1)(A), to include the City Council and City Manager. He further moved that the City Council enter into executive session to discuss personnel issues pursuant to 1 V.S.A § 313 to include the City Council and City Manager. The motion passed 5-0.

DAN KERIN made a motion, and GEORGE TYLER seconded to exit executive session. The motion passed 5-0 at 9:11 P.M.

ANDREW BROWN made a motion, and GEORGE TYLER seconded, that the City Council authorize the Municipal Manager to sign the agreement for the sale of wastewater treatment capacity between the City of Essex Junction and the Town of Williston, and it is further recommended that the revenue generated from the sale of this capacity go to the sanitation capital fund. The motion passed 5-0.

ANDREW BROWN made a motion, and RAJ CHAWLA seconded, that the City Council approve the Tree Farm Recreation Facility Lease and Management Agreement between the Town of Essex, City of Essex Junction, and Tree Farm Management Group and authorize the City Manager to execute these agreements in their final form. The motion passed 5-0.

b. **An executive session may be needed to discuss contracts that are exempt from public records laws
See above.

c. ***An executive session may be needed to discuss contracts that are exempt from public records laws
See above.

d. An executive session may be needed to discuss personnel matters
See above.

9. **ADJOURN**

202
203
204
205
206
207

RAJ CHAWLA made a motion, seconded by **DAN KERIN**, to adjourn the meeting. The motion passed 5-0 at 9:13 P.M.

Respectfully Submitted,
Amy Coonradt